Hawaiian Gazette.

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MURDERED AT IWILEI

Tragedy the Outcome of a Japanese Spree.

Murder was the end of a drunken carousal last night among half a dozen Japanese, the tragedy taking place in the second story of a long building in the tenderloin district of Iwilei. The murderer is believed to be Koseki, a hackdriver with whom the murdered man had had a quarrel earlier in the evening. The police began the search for Koseki within an hour from the time the body was discovered.

The tragedy seems to be the concluding chapter in a former murder, which had its inception at Waialua and ended a few weeks since when the murderer, Hayashida, was sentenced to Oahu Prison for a long term of years. The man murdered last night is said to have been the principal witness against Hayashida, his testimony going far to place the latter within the shadow of the gallows. Hayashida, to escape such an ignominious fate, pleaded guilty to manslaughter and thereby saved his neck.

THE TRAGEDY.

Last evening Miyamoto invited a number of friends into his room to have a feast. Among those present were Suyemoto, now dead; Koseki of Iwilei, now being pursued by the police; Furuta, of Iwilei; Otsuka, living next door to his host; Saito, of Honolulu, who remained but a short time; Komoda and Shibuya; Sakamoto of Honolulu, Iida of Iwilei and Yanerui, the latter being a geisha girl, who entertained the guests with dancing and singing.

In honor of the occasion Miyamoto had elevated a shrine—a tiny quaint wooden box with a latticed house revealed in the background. In the foreground two tiny lamps were burning, and suspended from the shrine was a piece of paper inscribed to the goddess of fortune. Beneath this shrine the actors in the coming tragedy began their carousal. Demijohns of sake and wine with tobacco and matches were placed on the floor in the center of the circle of squatting Japanese. As the contents of the demijohns decreased the spirits of the guests rose and the men became noisy. Then came a time when Koseki did not agree with Suyemoto. A blow was struck and soon the two men were pummelling each other. A beer bottle was picked up by Koseki and he is believed to have struck Suyemoto in the forehead with the same making an ugly gash. Friends separated the fighters and the wound was stuffed with some herbs.

MIYAMOTO'S DISCOVERY.

The wine gave out and the host left the room and was driven to town for more. On his return he says he found a room empty of his guests save Suyemoto whom he found lying in the middle of the floor, half naked and in a pool of blood. It was a ghastly sight and Miyamoto called for help.

Then two Porto Rican girls who lived opposite remembered that, but a short time before, they had heard scuffling in the room opposite and saw two men struggling as far as the veranda.

To Deputy Sheriff Rawlins, Miyamoto, owner of the room, said: "I entertained my friends. We had wine and when that gave out I went for more. On my return I found the body of Suyemoto on the floor covered with blood. Koseki and Suyemoto had a quarrel earlier in the evening but we separated them. None of my friends were present when I returned."

WHAT ROOM REVEALED.

An inspection of the room revealed no trace of a knife, the man having been murdered by a knife wound in the throat, while another wound was made in the abdomen. The body was clad only in an undershirt. On the door-sill opening upon the veranda was a large pool of blood, and upon the outside of the door-jamb were bloody finger marks. A bucket just outside the door had bloody water in it, where, apparently, the murderer had washed his hands. A trunk stood in a corner a few feet from Suyemoto's head. Upon this were several articles of clothing, including a kimono. Bloody finger marks showed upon this and it was partly damp, apparently from hands and fingers that were wet with blood. One corner of the kimono, where it was covered with blood stains, was caught under the lid of the trunk. Just what was intended to be done with the kimono is not clear, but the corner on being pulled from the lid showed stains and it was as wet as the portion which had been exposed. Whether the person wiping his hands on the kimono endeavored to put the kimono away in the trunk, is not clear. The trunk, on being opened, showed the interior contents arranged neatly. On the kimono lay a small Turkish towel which was soaked with water and showing here and there bright stains in a mass of

(Continued on Page 5.)

ASYLUM NOT YET BUILT

Contractors and Commissioner Are at Loggerheads.

"There are going to be developments in the matter of the contract for the construction of the main building of the Territorial insane asylum, now held by the American-Hawaiian Construction Company.

"I have taken no steps as yet to annul the contract with the American-Hawaiian Construction Company," said Superintendent of Public Works Holloway yesterday. "I have merely been trying to get the contractors to go to work on the building, the construction of which has been greatly delayed. But I have notified the company that if work is not commenced I will take the next legal step in the matter. I don't know yet what the next legal step will be but I will consult the Attorney-General."

The contract was entered into two months ago, and very shortly thereafter a misunderstanding arose between the Department of Public Works and the contractors as to the construction of that part of the specifications which prescribed the manner of making the concrete blocks to be used in the building. Under the construction of the department, the specifications called for a block tamped and pressed under a certain pressure. The claim of the contractors was and is that there is no machine made that will tamp and press at any given pressure. And this is the deadlock. Can a machine tamp and press at the same time?

"The Commissioner of Public Works has asked us to go on with the work, and we are willing to go on," said D. L. Withington, speaking for the American-Hawaiian Construction Company last night. "But he has asked us to go on under an impossible condition. When we made our bid for that work, we thought that the specifications were perfectly plain, and that we could make the concrete blocks for the building with any standard machine used for such work. Now we find that there is a clause under which the claim is made that these blocks must be made in a certain way.

"There is no machine made that will do the work of making these concrete blocks according to specifications. We are willing and anxious to go ahead, and will take any standard machine to do the work that is approved by the government."

"But the Department of Public Works has declined to approve the standard machines that are used in the manufacture of concrete blocks. Instead, it has referred the contractors to advertisements and prospectuses of machines of which the department has no actual knowledge. We have since investigated the possibilities of these machines and we find that no one of them can make the blocks according to these specifications.

"The trouble is that the specifications are so drawn that, as interpreted by the department, they call for a method of manufacture which is not known to the art, and which is incapable of execution by any known process or machine.

"This contract was signed but two months ago, instead of four as stated in an evening paper. We have been at all times and still are anxious to go ahead with the work, under any method of construction known to the trade, but we object to proceeding under a construction of the contract which calls for a method not so known.

"We intend, however, to lay this matter before the Governor and ask for an investigation of why the specifications were drawn as they were. We will, at that time, give the whole story of this matter to the public. It's a rich one."

"The American-Hawaiian Construction Company has bid upon $225,000 worth of work for the territory during the past year, and our bids have been $41,000 less than those of any other responsible bidder for the same work."

There were but two bidders, the American-Hawaiian Construction Company and the Concrete Construction Company, when bids were called for the insane asylum building, and the American-Hawaiian was granted the contract for the main building at $55,000.

NEW UNITED STATES DEPUTY MARSHAL

George Roenitz, formerly of the custom house, was yesterday appointed as an office deputy marshal by U. S. Marshal Hendry. Frank L. Winter continues to hold his office deputyship in the Marshal's office, but the work has become too great for one man. In notifying Judge Dole of the new appointment, Marshal Hendry says he has fully investigated the qualifications of Mr. Roenitz, finding him to be a good accountant, stenographer and typewriter. Deputy Roenitz will assist in serving law processes and in keeping the books of the office.

LANSING NOT A CANDIDATE

Has Made No Application for Appointment As Postmaster.

"I have not made application for the appointment as postmaster of Honolulu," said Theodore F. Lansing yesterday. "What is the use? I have no influence at Washington, and I don't think I have any here. Anyway, the merchants of this town are already pledged to Oat."

There had been a rumor about town during the day that Mr. Lansing would be the dark horse upon whom the conflicting political interests would unite for the position, and that was what Mr. Lansing himself said when asked directly if he was an applicant for the place.

The selection of the new postmaster is a matter that must be settled in the near future, if Mr. Oat is to go out of office when his term expires. Mr. Oat's term of office will expire on the 20th of December.

It is known that Secretary Atkinson and Delegate Kuhio were to have a conference relative to the appointment of a postmaster for Honolulu during the visit of the Secretary to Washington, Mr. Atkinson it was thought representing the desire of the Governor in the matter. Now the Governor, it has been commonly reported, was favorable to Pratt, who has been on the mainland for some little time past, it is said with the intention of gathering up certain influence in Washington and at various other points in the States that would rally to his support at call.

Delegate Kuhio, on the other hand, is favorable to the appointment of Clarence Crabbe, on the ground that Crabbe is entitled to recognition, as the delegate believes, for certain services to the party.

But if the Governor is for Pratt, he has been chary of expression of his preference. Mr. Oat, on his part, has the endorsement of the chairman of the Republican Central Committee, and the support of many of the merchants of the city. The tales go that Pratt has also support from some business men, and when the name of Lansing was mentioned again yesterday, it was said that there was a demand for his appointment from down-town interests, and likewise that the Pacific Club was not unfriendly to him. Mr. Lansing's own statement would seem to dispose of the mercantile end of the story, leaving the Pacific Club still to be heard from.

But, whoever is chosen, the choice must be made soon. As was said before, Mr. Oat's time will be out on December 20.

RUSSIAN SHIPS SUNK



AMID PITFALLS AND BARBED WIRE.

—Illustrated London News.

Part of the Port Arthur Fleet Destroyed by Fire.

(ASSOCIATED PRESS CABLEGRAMS.)

TOKIO, Dec. 6.—The Japanese bombardment of the Port Arthur continues. Three ships were fired and sunk on Sunday.

JAPANESE REPULSED.

MUKDEN, Dec. 6.—It is rumored that the Japanese force attempting to turn Rennenkampf's flank has been repulsed with a loss of 1500 killed.

THREATENS INDIA.

LONDON, Dec. 6.—The Russian division stationed in the Caucasus has been ordered to the Afghan frontier.

MUKDEN, Dec. 4.—The Cossacks have captured a Japanese

JAPAN'S WAR EXPENSES.

battery of eight guns at Lidiantown.

TOKIO, Dec. 4.—The war budget, introduced in the Diet, calls for an expenditure of $390,000,000.

GRIPENBERG ARRIVES.

HARBIN, Dec. 4.—Gen. Gripenberg has arrived here.

GUNS AND CONVOY TAKEN.

MUKDEN, Dec. 3.—It is rumored that Gen. Rennenkampf has captured several guns and a convoy of 600 rifles.

BANDITS IN GREAT FORCE.

WANT MORE SHIPS.

ST. PETERSBURG, Dec. 3.—The press is advocating the dispatch of the Black Sea fleet to the Far East.

A JAPANESE REPULSE.

ST. PETERSBURG, Dec. 3.—The Japanese have been driven out of Lamuting at the point of the bayonet.

MUKDEN, Dec. 3.—A force of 40,000 Chinese bandits and a reserve force of 8,900 Japanese, have started to turn Rennenkampf's flank.

KUROPATKIN TAKES OFFENSIVE.

MUKDEN, Dec. 3.—A heavy bombardment on the Russian cet.

CALCHAS RELEASED.

VLADIVOSTOK, Dec. 3.—The steamer Calchas, captured some weeks ago and its cargo condemned, has left for Nagasaki.

MADRID, Dec. 3.—The Japanese Government has complained of the coaling and victualling of the Russian fleet at Vigo.

SPAIN'S BREACH OF NEUTRALITY.

ter and right, indicates that Gen. Kuropatkin has taken the offensive.

HARBIN, December 5.—The warehouse of the Red Cross at this place has been burned, causing a great loss of supplies.

BREACH OF NEUTRALITY.

SHANGHAI, December, 5.—Indignation is felt here that Russia is using Shanghai as a depot for military and naval stores. Local butchers have ordered several million pounds of meat.

SMALL FRONTAL AFFAIRS.

ST. PETERSBURG, December 5.—General Kuropatkin reports unimportant skirmishes.

TURKS CONCENTRATING TROOPS TO PUNISH MURDERERS

SALONICA, Dec. 6.—A Greek band yesterday murdered twenty-four Bulgarians. As a result the Ottoman government has ordered the mobilization of sixteen battalions of redifs at Monastir.

YOUNG WEBER INDICTED.

AUBURN, Cal., Dec. 6.—The Grand Jury has indicted young Weber for the murder of his father.

FORGED THE NAME OF CARNEGIE TO BANK PAPER

NEW YORK, Dec. 6.—Mrs. Chadwick's arrest is probable for defrauding National banks by obtaining money from them on notes signed with the name of Andrew Carnegie. Mr. Carnegie denies the signature.

MAKAWELI AT MAZATLAN.

MAZATLAN, Dec. 6.—The Makaweli, reported lost, has arrived here.

THE OCEANIC BONDS DROP

Down to $55 Because of Floating Debt's Increase.

Oceanic Steamship Company bonds are again on the toboggan. Since last month they have slumped in value from $69 down to $55, yesterday. There are $2,400,000 of these bonds outstanding and they bear 5 per cent interest. Their value is going down, because the floating debt of the company is constantly on the increase. This floating debt is about $1,500,000 now, and represents advances made the company by its agents, John D. Spreckels Bros. & Co.

These agents cannot fall back on stock assessments any more, the par value of the stock having been paid up with the last two assessments of $10 each and one of $7.50. The assessments in the aggregate, raised about $700,000 and went to pay off a lot of debts. But in spite of that fact, the floating debt has gone skyward again. The stock now ranges in value between $2.75 and $3.50 a share. There are 25,000 shares, and within less than three years they have gone down to practically nothing.

These same causes have dragged down the bonds. Three years ago they were at a premium, selling for $107. When they began to decline, the downward movement never stopped for any length of time, until the $55 of Saturday was reached.

The original purchasers of the bonds bought them at par. So these people, if, for any reason, they are forced to sell their investment, would lose heavily. In case they can hold on to them, their interest seems pretty secure as long as there is a floating debt due the agents. The agents cannot afford to allow the interest to go delinquent and permit a receivership for the bondholders. In that case, the floating debt as representing advances to the company by the agents would be placed in peril.

How much longer the floating debt will continue to increase cannot be predicted. How soon and in what way it is to be decreased is another puzzling question. Stock and bondholders outside the charmed circle of the agents are told when they ask such questions:

"Things will be all right soon as business in Australia is picking up."—San Francisco Examiner.

What Rome Thinks

THE POPE'S PHYSICIAN ENDORSES AN AMERICAN REMEDY.

Dr. Lapponi Uses Dr. Williams' Pink Pills In His Practice Because Results Meet His Expectations.

Dr. Lapponi, the famous physician to the Vatican, whose name has recently come so greatly to the front on account of his unremitting attention to His Holiness, the late Pope Leo XIII, and the high esteem and confidence with which he is regarded by the present Pope, His Holiness Pius X, is a man of commanding genius. He is more than a mere man of science; he is a man of original and independent mind. Untrammeled by the "etiquette" of the medical profession and having used Dr. Williams' Pink Pills for Pale People in his practice with good results, he freely avows the facts and endorses the value of this remedy with an authority which no one will venture to question.

DR. LAPPONI'S LETTER.

"I certify that I have used Dr. Williams' Pink Pills in four cases of the simple anaemia of development. After a few weeks of treatment, the result came fully up to my expectations. For that reason I shall not fail in the future to extend the use of this laudable preparation not only in the treatment of other forms of the category of anaemia or chlorosis, but also in cases of neurasthenia and the like."

(Signed) GIUSEPPE LAPPONI,
Via dei Gracchi 332, Rome.

The "simple anaemia of development," referred to by Dr. Lapponi, is of course, that tired, languid condition of young girls, whose development to womanhood is tardy and whose health, at that period, is so often imperiled. His opinion of the value of Dr. Williams' Pink Pills for Pale People at that time is of the highest scientific authority, and it confirms the many published cases in which anaemia and other diseases of the blood, as well as nervous diseases such as nervous prostration, neuralgia, St. Vitus' dance, paralysis and locomotor ataxia have been cured by these pills. They are commended to the public for their efficiency in making new blood and strengthening weak nerves. After such an endorsement they will be accepted by the medical and scientific world at their full value.

SPRAINED ANKLE, STIFF NECK, LAME SHOULDER.

These are three common ailments for which Chamberlain's Pain Balm is especially valuable. If promptly applied it will save you time, money and suffering when troubled with any one of these ailments. For sale by all Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

THE PARKER TRIAL IS ON

Heavy Judgment Entered---Dickson Divorce. Juries, Etc.

(From Saturday's Advertiser.)

The trial of the Parker guardianship case on its merits got fairly under way before Judge Gear yesterday. J. S. Low, petitioner as next friend for the removal of A. W. Carter, guardian of Annie T. K. Parker, a minor, was on the stand. He testified of the values of lands mentioned in the petition, their probable degree of productivity if put in sugar cane, etc. An objection to his testimony, on the ground that it was not based on definite knowledge, was sustained by the court.

ARBITRATION OF CONTROVERSY.

Judgment was entered yesterday by Judge Robinson in the First Circuit Court in favor of the American-Hawaiian Engineering and Construction Company against the Hilo Railroad Company, for $18,094.39.

This is the conclusion of a controversy between the parties growing out of the construction of the Hilo wharf, which was built by the Construction Company for the contract price of $84,668. Upon the completion of the wharf $15,000 was still due the contractor and it rendered a bill of extras amounting to about $19,000 in addition. The Railroad Company admitted $927 of the extras bill but made a counter claim against the Construction Company of several thousand dollars. The Construction Company finally withdrew charges amounting to some $1500. By mutual consent the Railroad Company held the $15,000 balance due on the contract, and the bill for extras and the counter claim of the Railroad were submitted for arbitration to W. E. Rowell, J. G. Walker and C. H. Kluegel.

These arbitrators rendered a decision last week, allowing the Railroad Company $179 on the counter claim and approving of extras in favor of the contractor to the amount of $2257.

This amount plus the $15,000 due on the original contract, and interest constitutes the amount of this judgment entered yesterday.

Both parties have accepted the award of the arbitrators and the matter will be settled on that basis.

GETS AT ALIMONY.

Judge Robinson yesterday discharged the order to show cause for contempt in the Dickson divorce case but made the following order:

"It is ordered, that James Alexander Lyle withhold and deduct from any amount due or to become due from the firm of Sorenson & Lyle to the libellee, Thomas Dickson, on Saturday, December 3, 1904, for and on account of work and labor done and performed by him for said firm, the sum of fourteen dollars ($14), which amount shall be paid over to the libellant, Mary J. Dickson, or her attorney, E. A. Douthitt, Esq., and the receipt by either shall be a full discharge and acquittance to said firm of Sorenson & Lyle for said sum of fourteen dollars ($14) due to said libellee, Thomas Dickson."

The divorce case comes on for trial this morning.

COURT NOTES.

Judge Gear, at the close of the Mahaulu trial, excused his jurors until 10 o'clock Monday morning. The time was later extended to Wednesday morning.

Judge Robinson's jurors will not be called again this term, notice to this effect having been given out yesterday.

The Hana Plantation Co. foreclosure case comes before Judge Robinson at 10 o'clock this morning.

W. O. Smith's suit against Emmett May, before Judge Robinson yesterday, went over to Monday, then to be set for trial.

Judge Robinson has signed an order appointing J. J. Rodrigues as guardian of Jose Patricio do Rego and Manuel Patricio do Rego, minors, under a bond of $325.

Satisfaction of judgment has been filed by Robertson & Wilder for plaintiff in the suit of H. M. von Holt, executor under the will of Frank Brown, vs. Haleakala Hart.

In the divorce suit of Louisa Watson vs. David Watson an appeal is being proceeded with by W. C. Achi, attorney for libellee.

RUBBER ON MAUI HAS MILLIONS IN IT

Were this paper to state that there is a new industry to be established on Maui which eventually will yield permanently millions of dollars annually, with no more expense than merely harvesting, preparing for market and marketing the crop, the statement would probably be read with uplifted eyebrows, yet the News unqualifiedly makes just such an assertion. Rubber is the crop meant, and some of the younger readers of this editorial—and some of the older ones too—will yet live to see its verification. Experiments have already proved that a merchantable variety of rubber can today be found in trees which are growing luxuriantly on Maui. It will take a number of years to develop a bearing orchard of rubber trees, and for that reason the matter should be taken up at once.—Maui News.

NEW BOND ISSUE OF ONE MILLION MEETS APPROVAL

"THE AUTHORIZATION OF THE PRESIDENT HAS BEEN SECURED AND SECRETARY SHAW ACCEPTS 1,000,000 AT NINETY."

That was the text of a cablegram received by Governor Carter from Secretary Atkinson, now at Washington, yesterday.

"And that means," said the Governor, "that Mr. Atkinson has accomplished what he went to Washington to do. The President has authorized the issuance of one million of dollars of Territorial bonds and they will be issued as favorably as the last lot were. Their acceptance by Secretary of the Treasury Shaw means that the bonds will be accepted from banks of national deposit as security for government money to the extent of ninety per cent of their face value."

In other words, the government of the United States goes security to that extent for the credit of the Territory, and with this guarantee there should be no difficulty in placing the bonds in New York as favorably as the bonds of the last issue were placed.

The public funds of the United States, as is well known, are no longer hoarded in the Treasury at Washington, but are deposited in banks throughout the country to meet the needs of business. The banks designated as government depositories are required to deposit in their turn securities with the Secretary of the Treasury for the money in their hands, and these securities can only be of the gilt edged sort, naturally. In this class Secretary Shaw apparently places the Territorial bonds. Secretary Atkinson is to be congratulated upon the success that has attended his mission.

THE PLANTERS ESTABLISH A SKILLED LABOR AGENCY

The Hawaiian Sugar Planters' Association has decided to establish a bureau in Honolulu for the mutual benefit of the plantations requiring skilled labor and of the men seeking such work.

Heretofore there has been no central bureau or office where employers seeking higher grade labor or men seeking such employment, could come into contact, but each has sought information in a haphazard and unsatisfactory manner. All this will now be changed. A plantation manager desiring a carpenter, a blacksmith, a sugarboiler, an accountant or a luna will send direct to the Planters' Agency in Honolulu a description of the man he wants with the wages and other conditions offered. These facts will be tabulated and any applicant will be informed where he can get work and on what terms.

Likewise men desiring employment in the higher classes of plantation work will be registered, and, if there are no immediate vacancies, will be informed as soon as there is one.

One of the special features of the agency is to supply a medium for placing citizens and those eligible to citizenship, in such vacancies as may occur.

A ground of criticism of the sugar plantations has heretofore been that American citizens were discriminated against on them. This charge has largely grown out of the difficulty of getting employers and would-be employes into communication with each other; consequently it has frequently happened that a good man in Honolulu has failed to secure employment because the plantation managers on the other islands have not known that he was available. It is earnestly hoped and desired by the planters that all competent skilled citizen labor which desires employment on the plantations shall have the opportunity to secure it. It is believed that this agency will provide this opportunity.

The bureau will be conducted by the secretary of the Planters' Association, Mr. W. O. Smith, at his office on the second floor of the Judd building.

PRESIDENT TO RECOMMEND DEEPENING THE HARBOR

Yesterday Governor Carter received from Secretary of the Territory Atkinson, now in Washington, the following cablegram:

"The President promises to embody in his message to Congress your recommendations as to leprosy, harbor improvement, etc."

"In my report to the President as to the condition of affairs in the Territory," said Governor Carter, "I made a recommendation that Congress be asked to appropriate $50,000 to be devoted to the scientific study of leprosy wherever it should be found to exist under the American flag.

"I also recommended that the entire harbor of Honolulu be dredged to a depth of thirty-four feet to accommodate the commerce of the port, and permit the free entrance of the largest vessels that ply the Pacific ocean. I made various other recommendations, but those are the only ones specifically mentioned in the cablegram.

"I am particularly interested in the matter of deepening the harbor, because the steamers in the Pacific trade are growing larger year by year, and if Honolulu is to hold her place in the commerce of the future the port facilities must be made ample to meet all demands."

The deepest water in the channel leading into Honolulu harbor is now thirty-four feet, and there are times when the largest vessels of the Pacific Mail fleet hesitate to come in. They could probably make it all right, but their captains prefer a deeper cushion of water under their hulls when the ships are heavily laden. A minimum depth of thirty-four feet of water in the harbor would of course call for a much greater depth in the channel, and the largest ships could then come in at all times.

This is a work, too, that should properly be paid for by the national government. The case of Honolulu is in some respects exceptional, nevertheless when it comes to the long last the harbor belongs to the nation—and harbor work everywhere else in the country is done at government expense. In fact, there is not another American port where anybody would think of harbor impovement otherwise than as a national charge.

HAWAII MAY GET INTO RIVER AND HARBOR BILL

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Nov. 14.—With the Presidential election over, the rush of people towards the National Capital is beginning. The arrivals are increasing daily and plans for starting governmental business at full tilt are materializing. Senators and members of the House are already coming and the number will grow till Thanksgiving Day, soon after which the entire Congress will be here to resume the session beginning the first Monday in December.

The item of most interest to Hawaii in these preliminaries is the calling of a meeting of the House Committee on Rivers and Harbors for one week from tomorrow, which is November 21. Chairman Burton has made that announcement and is himself expected here within a few days to make preparations for framing a River and Harbor bill. There has been no definite statement from him yet about the desired improvements of Honolulu harbor but the friends of the Territory are very hopeful. Much will depend upon the general policy adopted with reference to the bill. It has been in Mr. Burton's mind that the government ought now to embark upon a larger policy of river and harbor improvements. If he decides to advocate that at this session of Congress he will frame a bill in the House committee, providing for a total of $40,000,000 or more. With such a policy undertaken by Congress it is altogether likely that Honolulu would be amply provided for. One difficulty intervenes. That is the lack of revenues. But already a serious movement is on foot to revise the tariff, with a view not only to reducing the duty on highly protected products but also for the purpose of providing more revenue. It is well understood in government circles that lower duties on certain classes of products produce more revenue than high duties.

TARIFF REVISION.

No decision has yet been reached about tariff revision, for which an extra session of Congress would be imperative. The Republicans are even discouraging agitation of the subject and trying to make it appear for the present, that there is no hope whatever of revision. The object of that is to prevent any disturbance of business by premature agitation. Along in February, after he has had full opportunity to talk the matter over with leaders in Congress, the President will make up his mind what is to be done. He recently told a friend that he intended to go on a trip into Texas next spring, provided he did not call an extra session of Congress. The Republican revisionists are very earnest in urging that the tariff be reduced at once and they profess considerable hope that it will be done, so that the new schedules will go into effect by July 1 next.

RIVERS AND HARBORS.

Accordingly, it will be seen that something with regard to river and harbor appropriations may depend upon the decision with reference to tariff revision. It is plain that the government expenses now are fully equal to the receipts, if not larger. Unless provision is made for more revenues, it will be imperative for Congress to curtail appropriations this winter. The River and Harbor bill will be framed by the committee at once, but before Mr. Burton goes ahead he will probably get some intimation from the President about the administration's policy with reference to revision. It is announced here that Mr. Burton contemplates having the bill framed and ready for Congress about as soon as it meets, so that the bill can be passed before the Christmas recess.

At the Interior Department it is learned that Secretary Atkinson has been granted leave of absence to come to the States to negotiate for the issue of more Territorial bonds. He is expected in Washington before long for a consultation on the subject with Secretary Hitchcock.

GOV. CARTER'S REPORT.

The proofs of Gov. Carter's annual report, as revised by him, were received here several days ago, but there were more changes to be made and he expressed a desire to see the final revision by the Interior Department before the document is made public. Therefore, the report has been forwarded to the Governor a second time. It will probably not be made public here for a week or two yet.

REVENUE CUTTER.

Assistant Secretary Armstrong, of the Treasury Department, said today that as soon as a revenue cutter can be spared from any point on the Pacific Coast it will be sent temporarily to Hawaii for the protection of the bird life there and also for purposes of patrolling the waters in the interest of the enforcement of the customs laws. The matter was taken up with Mr. Armstrong by the Secretary of the Interior, who has shown considerable interest in the matter and has asked the cooperation not only of the Secretary of the Treasury but also of the Secretary of Agriculture. Just at present Mr. Armstrong has no revenue cutter to spare. He is very hopeful that Congress this winter will authorize the construction of a new cutter for the sole use of the Hawaiian Territory.

HAROLD SEWALL'S AMBITION.

It will probably be of some interest in Hawaii that Hon. Harold Sewall, of Bath, Me., erstwhile Republican National Committeeman in the Territory, is making a vigorous canvass to become speaker of the Maine House of Representatives this winter. He was elected to the house from the Bath district and ever since the September election has been working with might and main to secure votes enough to wield the presiding officer's gavel. Some believe that Mr. Sewall has his eye upon the House of Representatives here in Washington. It is generally conceded that Representative Littlefield, of the Second Maine district, will succeed Mr. Frye in the United States Senate, whenever the latter ceases to represent the Pine Tree State there. That would make a vacancy in the House. If Mr. Sewall can acquire sufficient civic honors before such a day comes, he might win the election, which in Maine is practically a life place.

Senator Foraker, of Ohio, chairman of the Committee on Pacific Islands and Porto Rico, has come to town and will remain here most of the time till Congress assembles. He expects to take a little time, before Congress meets, to go over pending legislation for Hawaii and get these measures into shape for early consideration.

ERNEST G. WALKER.

LITTLE AT PANAMA

Supposed Hiloite Is In Clover Down There.

The following is an extract from La Novedades, a newspaper published in New York, and purports to be a cablegram from Panama. It is possible that the item refers to former Judge Little of Hilo and it shows that he is still against the government:

"PANAMA, Nov. 7.—Judge Little, an American lawyer and attorney for the Panama Lottery Co., entered a plea of habeas corpus on behalf of an agent of the lottery company arrested by a police officer of the canal zone in the suit of the United States government against the lottery company and presented an important argument with interesting points to be submitted to the Supreme Court of the United States.

"Judge Little said that the lottery company had a franchise and a concession granted by the government of Panama several years ago and over this the government of the United States has no control and jurisdiction so long as the franchise continues. According to the treaty, the rules established in Porto Rico and Philippines should apply to Panama in consideration of the fact that while the above possessions were acquired by force of arms the rights of the United States in Panama were obtained by virtue of a treaty.

"In his argument Judge Little criticized the policy of the United States as a usurpation of the rights and privileges not stipulated in the treaty. He said that the Panamans had never believed very much in the sincerity of President Roosevelt concerning the compliance with the terms of the treaty, but that he hoped to see the American people compel the President to fulfill the obligations acquired in the name of his nation or declare him responsible for the failure to do so."

RAGING SEA AT KAHULUI

Personal, Shipping and Political Items---A Poor Bridge.

MAUI, Dec. 3.—An unusual heavy surf kept rolling landward in upon Kuhului all last Saturday. Every comber seemed huge enough to engulf the village, in truth some of the great rollers washed out the Kahului-Wailuku road and dashed in the pasture beyond.

The waterfront donned a Sunday-like aspect. The donkey-engine was silent, the lighters and the tug Leslie Baldwin were moored out, and the landing was deserted by the usual crowd of laborers excepting a few stragglers who watched the waves wash in and splash up between the planks and sometimes upon the landing itself. There was no work possible for longshoremen.

The steamer Claudine heaved up and down with every long swell and did not dare to venture out of the harbor—in fact an announcement was posted at the letter office that the steamer would take mail and passengers at Maalaea bay. The big steam-freighter Nevadan was most timid and anchored seemingly in mid-Pacific, four miles in a bee-line from the wharf.

The breakers were more appalling in height and force early in the morning when many fish were washed on shore and quickly captured by the urchins of the village.

These heavy seas were the precursor of a fierce Kona storm which continued all through the next day, Sunday. The strong gale blew down trees here and there and strewed the ground with strips of bark, leaves and branches.

The rainfall during Sunday varied from 1:59 inch to 2 inches.

NOTES.

The plains of Central Maui are covered with purple bloom, the beautiful tassels of the cane.

Miss Snow, who has been the most efficient principal of Maunaolu Seminary, Paia, for two years past, has tendered her resignation to the trustees to take effect in April, 1905. She will return to the Hampton school, Virginia.

Miss Rice, now teaching in Alaska, will return to Maui next September and resume her old position as teacher in Maunaolu Seminary.

Harry W. Baldwin has resigned his position with the Union Oil Co. at Kahului and will soon return to California. David T. Fleming will succeed him at Kahului.

For a week past the Makawao Road Board has been repairing the stone walls which support the roadways leading from both sides of the gulch to the new cement bridge at Kahului, Makawao. It is stated that the walls were not strongly built and easily succumbed to the wear and tear occasioned by the passing of oxcarts over the roadbed. The cement arch of the bridge and the stone wall approaches were finished by Wilson & Duggan.

Tuesday the oil vessel Argyll entered at the port of Kahului and immediately departed for Kihei. She will probably depart from Kahului today.

The steamer Nevadan after much difficulty finished unloading cargo and departed for the coast on Thursday.

Inspector Chas. E. King has been visiting schools in Makawao district during the past week.

Today at 1 p. m. a grand luau is to be given on the Kealahou school premises by the Ninth Republican Precinct Club, rejoicing over the recent Republican victory. All Kula irrespective of party will attend and speeches will be made by the newly-elected legislators who have been invited to be present.

Weather: Kona wind blowing strong today and has blown more or less all the week.

BIDS FAREWELL TO BACHELORDOM

Mr. Emil Waterman, whose marriage to Miss Ewart takes place this month, was the guest of honor at a stag dinner given last evening by Mr. H. Wingate Lake at the Alexander Young Hotel. The dinner was given in one of the private dining rooms. The dinner was quite informal and no coats were permitted to be worn. The toasts were numerous and frequent and were given with brimming glasses. Among those who shared Mr. Waterman's farewell to bachelordom were Messrs. Frank Armstrong, Mannie Phillips, E. M. Boyd, Walker and Clarence Waterman.

Honolulu Plantation Co.

Honolulu.—This company will reduce this year's crop of 17,500 tons of No. 1 sugar to the refined equivalent at its own mill. The white product will be shipped to four large canning factories in California. This enterprise marks the beginning of an extensive sugar refining industry in Honolulu.—Finance and Trade, S. F.

George Lycurgus denies most emphatically that he will start a line of automobiles from Hilo to the Volcano House. "It is nonsense," said George.

HOLLOWAY TO BE ENJOINED

Contractors Fight Over Dredging Alakea Street Slip.

(From Saturday's Advertiser)

The Commissioner of Public Works will sign a contract with John Walker to dredge the Alakea street slip, and will be at once enjoined from proceeding farther with the matter in behalf of Lord & Belser, who were also bidders for the work.

It will be remembered that when the bids for this work were opened by Commissioner Holloway, the bid of John Walker was the lowest, but was accompanied by an accepted order on T. H. Davies & Co., instead of a certified check, as had been specified in the advertisement.

The matter was held up, accordingly, by the commissioner, and the Attorney General was asked to give an opinion upon the right of Mr. Holloway to accept the order in question in lieu of a check.

The attorneys for Cotton Brothers and for Walker appeared before Attorney General Andrews, and the matter was argued and submitted. Yesterday the Attorney General sent down an opinion to the Commissioner of Public Works to the effect that the bid of Walker was a properly accompanied bid, an inland draft upon a firm having the standing of T. H. Davies & Co. being, to all intents and purposes as good as a certified check, and Mr. Holloway thereupon stated his purpose to sign up the contract with Walker.

"I suppose that I will sign up the contract when it comes up to me," said Mr. Holloway. "And then, I understand, it is the purpose to enjoin me and get a decision of the court upon the matter. Well, I will not be sorry to have the point definitely decided."

It is presumed that the injunction proceeding will be commenced today, or as soon as the contracts have been signed. The following were the bidders on the Alakea street slip work, with the amounts of their bids: Lord & Belser, $209,000; North American Dredging Company, $204,778; L. M. Whitehouse, $215,860; Cotton Bros. & Co., $188,900; Atlantic, Gulf and Pacific Co., $192,000; John Walker, $168,000.

FUSHIMI'S LOSSES OF JEWELRY

ST. LOUIS, Nov. 23.—Prince Sananru Fushimi, a cousin of the Mikado of Japan, who is visiting the World's Fair, was the victim of robbers this afternoon. While the Prince and his suit were out on the exposition grounds burglars entered his apartments at the Buckingham Club and stole jewels valued at $5000. Among the property taken were three handsome diamond rings belonging to the Prince and a beautifully embossed emblem belonging to A. Sato, grand master of the household of the Prince. The emblem was the decoration of a European monarch, and was highly valued. The rings of Prince Fushimi were heirlooms and worn by him only upon state occasions.

Detectives are working on the case, but up to a late hour tonight no clew had been found to the theft or whereabouts of the missing jewels. One of the rings is a great solitaire, the gift of one of the Emperor's staff at Tokio, and highly prized by the royal visitor.

NEW TREATY WITH CHINA

WASHINGTON, November 21.—Secretary Hay and Sir Chen Tung Liang Cheng, the Chinese Minister, are reaching the conclusion of their labors in framing a new treaty between the United States and China to take the place of the existing convention, which expires on December 7th. The present treaty provides for the absolute exclusion of Chinese laborers from the United States, and the new treaty will be equally as strict in this regard; but it is proposed to insert provisions in the new treaty which will permit the entrance into the United States of officials, merchants, students and other excepted classess without the restrictions which are now imposed.

Every Chinese owning property in the United States and desiring to visit China with the intention of returning to the United States will be provided with a certificate entitling him to reenter the United States within two years of the date of departure.

The treaty will also contain a provision permitting the United States to establish immigration officials in China charged with the duty of investigating every Chinese intending to come to the United States.

MR. ACHI'S COUNTY SCHEME FAVORED

Editor Advertiser: Both political parties having endorsed County Government in their platform, I suppose that it is but natural that we must have it, no matter to what extent it will increase our taxes. Ever since Governor Carter appointed his celebrated County Commission of two lawyers, two laymen and a negro, I have been endeavoring to find out the general sentiment in regard to the County Government plan. I find that the natives as a rule are in favor of it and that the whites are against it, that is, the business class of whites, who pay most of the taxes.

Now for a common sense County System I think the plan proposed by Senator Achi is not only the only feasible method but also the best that has been proposed so far.

The Achi method will put the election of officers in the hands of the people and at the same time will not increase the tax rates. These elected officers will receive the same pay as the appointed ones now receive. They will be free from all gubernatorial influence and control, and will be answerable to the people of their respective districts for their official actions. At the same time safeguards will be placed about them so as to eliminate all chances of graft and corruption, and to insure an honest, clean and decent administration of affairs.

I hope therefore that the incoming legislature will see fit to give Senator Achi its hearty support and place itself on record as being in favor of popular government mingled with economy. AMERICAN.

NOT MANY KNIFE FRAYS

"There have been fewer knife frays since the Sunday law has been enforced," said High Sheriff Henry last night. "We have had a very quiet day today, with the exception that we took in a few crap players, and last night we rid the Tantalus section near Jared Smith's place of an undesirable lot of boisterous people, who make night hideous when they can.

"The closing up of these joints on Sunday has prevented bacchanalian gatherings, and this has prevented rows and cutting affrays."

Japanese Liked Him.

Ex-Manager Ahrens was given a grand send-off when he left Oahu plantation. The Japanese laborers saw him go only with the greatest regret, for he is known to them as a fairminded manager, whose treatment of them has always been considerate and kind. "Like a light taken away in the dark night," is the poetic way in which some laborers described his departure. The ex-manager has gone to Hilo, where his family went a short time ago.—Hawaii Shinpo.

A fatal duel, arising out of a drinking quarrel, was fought between two Japanese named Arioka and Yoshima at Naalehu, Kau, recently. The antagonists met with seconds at an agreed place and Arioka killed Yoshima. Arioka was arrested but the accessories to the duel were only called as witnesses at the coroner's inquest.

FOUNDED IN HONOUR.

No doubt you have seen in the papers such announcements as this concerning some medicine or other: "If, on trial, you write that this medicine has done you no good we will refund your money."—Now, we have never had reason to speak in that way concerning the remedy named in this article. In a trade extending throughout the world, nobody has ever complained that our medicine has failed, or asked for the return of his money. The public never grumbles at honestly and skillfully made *bread*, or at a *medicine* which really and actually does what it was made to do. The foundations of WAMPOLE'S PREPARATION are laid in sincerity and honour, the knowledge of which on the part of the people explains its popularity and success. There is nothing to disguise or conceal. It was not dreamed out, or discovered by accident; it was *studied* out, on the solid principles of applied medical science. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. This remedy is praised by all who have employed it in any of the diseases it is recommended to relieve and cure, and is effective from the first dose. In Anemia, Scrofula, Nervous and General Debility, Influenza, La Grippe, and Throat and Lung Troubles, it is a specific. Dr. Thos. Hunt Stucky says: "The continued use of it in my practice, convinces me that it is the most palatable, least nauseating, and best preparation now on the market." You can take it with the assurance of getting well. One bottle proves its intrinsic value. "You cannot be disappointed in it." Sold by all chemists everywhere.

MASSACHUSETTS LAW SETS MAHAULU FREE

On a Possibility That Money Paid Him Might Have Reached the Treasury the Jury Finds Him Not Guilty.

After a trial lasting eleven days, Stephen Mahaulu was found "not guilty on both counts," under an indictment charging him with embezzling the respective sums of $925 and $4500 from the Territory of Hawaii while he held the offices of chief clerk and district sub-agent in the Department of Public Lands.

The jury was out precisely ten minutes considering its verdict, which was rendered a few moments before noon yesterday.

ADDRESS FOR DEFENSE.

Mr. Thompson had taken thirty minutes in his closing address to the jury. He informed the jurors that the court would instruct them that the entering of a payment on one account to cover a shortage on another account was not embezzlement if the money paid ultimately reached the Treasury. Stress was laid on the omission by the prosecution to produce the Treasury deposit slip for a deposit of $1400 representing land sales which Mahaulu said contained the $925 paid by Mary E. Clark. Mr. Thompson acknowledged the rotten state of affairs in the Land Office and Mahaulu's implication therein, but urged on the jury that the defendant was not on trial for conspiracy or "ungentlemanly conduct," or anything but embezzlement. He bestowed considerable rhetoric on a description of the character of former Land Commissioner Boyd, instancing an afterthought that came to Boyd in the jail yard at recess, the day he testified, which induced him to change his testimony of the morning in the afternoon because he feared it "would let Mahaulu out." It was contended that the crime of embezzlement had not been proved against the defendant on either count, and the jurors were warned on their oath against gratifying a thirst of some people for filling the prison for the sake of their own political preferment. Mr. Thompson was glad that the prosecution had exercised its prerogative in weeding native Hawaiians out of the jury, so that all race prejudice was eliminated from their deliberations and the issue left with a straight American jury.

ADDRESS FOR PROSECUTION.

Deputy Attorney General Prosser for the Territory occupied a scant twenty minutes in his closing address for the Territory. At the outset he said one could generally tell early in a criminal trial what line of defense was to be taken. In this case the trial had not proceeded three hours until it was clear that the defendant's sole reliance was upon technical objections. By far the greater portion of the eleven days of the trial was taken up with the discussion of the defendant's objections on law points, all of which might have been disposed of in five minutes. Mr. Prosser was saying to the jury that when Mahaulu, as he had admitted, took $4500 of the Territory's money to cover a defalcation of E. S. Boyd's he committed embezzlement just the same as if he used the money to pay Boyd's water rates or his wine bill.

THE COURT OFFENDED.

Judge Gear here interrupted the Deputy Attorney General, telling him he had no right to make a statement of law to the jury which was contrary to the intended instructions of the court as made known to counsel in the absence of the jury.

Mr. Prosser remarked that Mr. Thompson had addressed the jury on that point and, being informed that his course was improper, turned to the jury with the remark:

"Having received a polite jolt from the court, I have no more to say on this subject."

Judge Gear asked him what was the remark he had made about the court and when it was repeated to him stated that the language was improper and would not be allowed. Mr. Prosser disclaimed any intention of disrespect and Judge Gear instructed the jury to disregard entirely the statements bearing on the law of the case which the Deputy Attorney General had just made.

STRAIGHT CASE ARGUED.

Mr. Prosser then concluded his address without further interruption. He showed the cash book where Mahaulu had marked the item "$935.37" as the deposit containing the $925 Clark money and, dwelling a little on Mahaulu's admitted false swearing, urged that a clear case of embezzlement was made out. It was time something was done to stop the stealing of public money. The jurors were taxpayers as Mr. Thompson himself was, but defendant's counsel was perhaps the only one who was not kicking, as he was going to get some of the stolen money back. Mr. Thompson laughed with the rest of the audience at this pleasantry.

MASSACHUSETTS LAW GOES.

The court's instructions to the jury were lengthy, taking thirty-five minutes to deliver. They contained the law of the Massachusetts decision cited by the defense, in preference to that of the Iowa decision cited by the prosecution, to the effect that misappropriations of money to cover up embezzlements were not in themselves embezzlement.

MORE INDICTMENTS.

There are three more indictments pending against Stephen Mahaulu for embezzlement of public money. These, it is learned, will be prosecuted to the end.

THE JURY'S VERDICT.

On the first ballot after returning the jury stood nine to three for acquittal. The dissentient minority at once threw up the case, one reason given being a general sentiment amongst the jurors that Boyd had got all of the stolen money.

One of the jurors, in explaining the verdict to an inquiring citizen, stated that it was based on the evidence that the $925 paid by Mrs. Clark was deposited in the Treasury, being part of a deposit of $1400 as "land revenue" on June 30, 1902. This evidence was only given on the spur of the moment by Mahaulu when confronted with proof over his own signature that his previous testimony was false wherein, repeatedly, he swore that the Clark money was included in a deposit of $935.37. The deposit slip of $1400 is not itemized and the Clark payment was not traced beyond Mahaulu's hands in any credible evidence presented to the jury.

THE TWELVE MEN.

The jury that acquitted Mahaulu consisted of G. D. Mahone, C. J. Ludwigsen, J. J. Dias, J. F. Soper, F. H. Armstrong, C. P. Dwyer, H. A. Parmelee, F. J. Dutra, Jessin Andrade, C. F. Merrifield, H. P. Roth and E. J. Stone.

JURORS ARE REFRESHED.

On leaving the court-room attorney Thompson was congratulated by a number of the jurors. He returned his thanks. "Well, gentlemen, I suppose it's up to me to say, What's your poison?" he asked jocularly. Somebody suggested that it be a lunch at the Grill. On the way across Palace Square one of the jurors thought that lunch would be better at the Elite.

"We ought to patronize home industry," he said, "and go to the Elite, for Charley Ludwigsen is one of the jury" (Mr. Ludwigsen is a part owner in the Elite).

So it was settled and most of the jurors accompanied Mr. Thompson to the Elite.

On the way one juror was heard to remark:

"Well, this will teach Governor Carter——" and a breath of wind blew away the rest of his remark.

JAPS ISSUE BAD MONEY

Are Accused of Counterfeiting Russian Notes.

The Japanese, according to the tale told by W. H. Lewis, the New York Herald correspondent who passed through Honolulu on the Korea, have adopted the war measure of issuing counterfeit Russian money, thereby discrediting their enemy with the people of the region where the great struggle is in progress. This it will be remembered, was the charge brought by Victor Hugo against the English of the time of the French revolution, it being asserted that smugglers flooded the Breton provinces with bales of false assignats, thereby further depreciating those already depreciated tokens of exchange.

According to the story told by Lewis, the Trans-Siberian Railroad has all it can do to carry troops and supplies of food and ammunition without hauling the trains of treasure necessary to finance the big campaign if all disbursements were made in coin. Paper money, therefore, is the only medium of exchange circulating among the Czar's troops, and all purchases in Manchuria are paid for in the ruble bills issued by the Russian Government. Chinese and others who have had dealings with the Russians have grown to prefer this convenient form of money. In order to discredit the Russian paper money the Japanese have flooded the country in which the Russians are operating with imitations of these royal promises to pay. The counterfeits are so cleverly made that even the Russian army paymasters have accepted some of them. The Japanese leaven is working, and the Chinese merchants are beginning to look askance at all paper money.

Lewis says that the Japanese people are getting very weary of the expense of the war. In the first enthusiasm at the outbreak of the war, he says, everybody wanted to turn over all his money to the Government and to bind himself to pay more as he earned it. It is different now. The first popular loan, which was floated at a few per cent below par, was nearly all subscribed by the populace. The money kings of the land were sane and safe in their patriotism, and when the people rushed in to buy they stood aside and reserved their coin for the second loan, when the bonds could be secured at a much lower figure.

Few of the original subscribers to the first loan, says Lewis, are now holding the bonds. After making one or two payments they turned over the obligation to some more patriotic neighbor. Many of the bonds have been transferred several times, and in many cases the holder has been obliged to pay his little brown brother to take the bonds off his hands. The banks and big corporations took most of the second loan, and the bonds of a third loan, Lewis declares, are moving very slowly.

Lewis does not believe that Japan will be able to stand the financial strain of a much longer continued war, and he expresses the conviction that ultimate Russian success is a certainty.

As an evidence of Japanese confidence in the success of the Mikado's arms, Lewis spoke of the calm assurance with which the little brown warriors had programmed the campaign. To such an extent has this been carried out that as soon as the Japanese had control of the railroad from Dalny to Port Adams they printed a stock of tickets covering the system as far as Mukden.

NEED FOR A LIBRARY

Governor Wants to See Real One Established.

A determined effort will be made at the next session of the Territorial Legislature to secure the erection of a public library building in which can be stored not only the books gathered by President Dole for his Hawaiian library and now stored away out of sight in the Capitol building, but likewise the valuable public documents and priceless archives of the various governments of Hawaii for the keeping of which, at present, there is no adequate provision.

"The matter has been called to my attention," said Governor Carter yesterday, "because of a recent importation of books for the Agricultural Department. These are, I presume, scientific works. Now, under the law, they can come in duty free, if they are for the Territorial library. The thing is to get them into the Territorial library when there is no Territorial library. It is true that we have a library established by law, but nothing has been done for the establishment beyond the passage of the law.

"There is, as you know, a public library building in Honolulu built by popular subscription. It has occurred to me that we might, by some arrangement with the public library, provide for the enlargement of that building and thus secure a place for the safe keeping of the archives, and the government's books, while at the same time putting valuable historical documents where they would be accessible to students and others interested in such matters. The matter is, at all events, worth looking into. The documents and books we have here now relating to past times are of no use to anybody, certainly not to us at the Capitol, who are too busy to even look at them."

PLENTY OF MONEY NOW IN PUBLIC TREASURY

A report has been made to Governor Carter by the Treasurer to the effect that outstanding warrants have been met by receipts from taxes collected during the month of November. Mr. Campbell reports further, that if the monthly receipts continue on a par with those of the corresponding months of last year, warrants will not have to be registered until along in March. In this current year, the registering of warrants began on February 3. The receipts from taxes for the year exceeded those of last year by $16,274.60.

There is now on hand to meet December warrants the sum of $105,289.72.

CENTRAL COMMITTEEMEN CALL ON GOVERNOR

A committee from the Executive Committee of the Territorial Republican Central Committee consisting of A. Robertson, Senator John C. Lane and Representative W. W. Harris, called on Governor Carter yesterday to discuss the matter of committee endorsements of aspirants for positions under the Territorial government. The Governor expressed a perfect willingness to give the Central Committee hearing in the matter of endorsements, and to pay whatever heed to such endorsements he could consistently with his duty to the Territory. The discussion, in fact, was perfectly amicable and will be followed by some correspondence with a view to a more definite understanding.

Central Union church C. E. Society has elected the following officers: Lyle A. Dickey, president; Spencer Bowen, vice-president; Carrie Gilman, treasurer; Gertrude Hall, secretary; Carrie Forbes, corresponding secretary.

At a meeting of Company C, National Guard of Hawaii, held in the drill shed last night, Harry Klemme was chosen first lieutenant of the company, and George Smithies second lieutenant. The motion to elect both men was made by Bernard Kelekolio.

TO REVIVE OLD HAWIIA

Governor Studies Plan to Build Native Village.

The territorial Executive has shown a disposition to take up very seriously the plan advanced by Mr. J. J. Williams to establish in the islands a native village to preserve the acts and illustrate the habits of the people of old Hawaii.

The matter was outlined to the Governor, somewhat in extension by Mr. Williams in a communication setting forth his idea of the institution of such a village largely as an added attraction for tourists. Governor Carter, practically, has taken up that side of the question, but has also gone into the consideration of the actual ethnological value to come from such an exhibit, and has entered into some correspondence relative to the plan with several citizens whose views would be apt to have value. The Governor, in his letter, intimated that if the plan were under proper control, the Commissioner of Public Works might not be averse to the occupation of government lands for the purpose of the village.

Replies favorable to the plan have been received from several parties. Among these replies, that of Mr. C. L. Wight, president of Wilder's Steamship Company, unhesitatingly approves the plan as one having merit.

"The location for such a colony," says Mr. Wight, "should be on the seashore, where canoeing, surf riding and fishing would be features.

"As to hula dances, admitting the Ayran origin of the Hawaiians, they probably sprung from the same source as the religious dances of the early Greeks and Romans, and for ethnological reasons should be preserved by the government. They also indicate the light-heartedness of the Hawaiians, and with certain restrictions are of primary interest to the ordinary sight seer. It is possible that under competent government supervision they might be permitted, but I am not prepared to advocate hula dances without giving the matter further consideration.

"If the restoration of a heiau could be effected, containing idols, and, in fact, everything pertaining to the religious customs of the aboriginal Hawaiians, this would be of undoubted interest, not only to the sight seer but to the residents of the islands. It should not be undertaken without careful consideration. I do not advocate it, but simply mention it as a topic bearing on the question under discussion."

In the same connection, Mr. J. A. Gilman writes: "I believe that such a proposition, if properly managed, would be a great addition to Honolulu, and furnish one attraction for tourists which, at the present time, is wanting.

"The financing of such an undertaking is entirely another question, and I would not advise the Promotion Committee to attempt such a venture unless they were assured in advance of sufficient funds to meet any possible loss. I do not believe that such a village would be self-supporting, even though the government should furnish the ground free of charge.

"If, however, private parties wish to attempt the running of such an affair, I think it would be wise for the government to assist in any way possible."

The plan of Mr. Williams as outlined in his communication to the Governor, is as follows:

"It is the intention to form a native colony of respectable people, provide them with comfortable grass houses and taro lands sufficient to raise all the taro required for their subsistence, and where they can grow as many other varieties of fruits, vegetables and flowers as they may desire.

"To procure natives proficient in making hats, mats, leis, or any other products that are purely Hawaiian; and to include among their number some who are proficient and capable of rendering the ancient national dances of the country.

"To consummate this object will require a tract of at least ten acres of well watered land, and easily accessible from town. On this land will be erected grass houses, after the old and most approved plan, and each house will be provided with the simple implements for domestic use.

"It is the intention to have hats, mats and the various varieties of leis, in which the native women have been so expert, made on the ground, and if possible also to introduce some of the ancient pastimes, among which will be spear-throwing. The colony will be supplied with ponies, and one of the requirements, particularly on steamer days, will be to ride with the old, picturesque pa-u.

"One or more large grass lanais will be erected, which can be used for the rendering of the national dances, giving a luau, or by the guests if they elect to dance.

"Sweet potatoes, bread fruits, mangoes, papayas, bananas, cocoanuts, lauhala, maile, in short all the varieties of plants and flowers so dear to the native will be grown, and the planting, cultivation and preparation, of food plants, will be so arranged that it can be seen at all stages.

"It is the intention to have things so arranged that every phase of ancient Hawaiian life can be observed, and that in a manner not to outrage the feelings of the most fastidious."

Hawaiian Gazette.

Entered at the Postoffice of Honolulu, H. T., Second-class Matter.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

SUBSCRIPTION RATES.

Per Month	$.50
Per Month, Foreign	.75
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Per Year, Foreign	6.00

Payable Invariably in Advance.

A. W. PEARSON, Manager.

TUESDAY : : : DECEMBER 6

OBSERVANCE OF SUNDAY.

(From Saturday's Advertiser.)

A conversation with a conductor and a motorman in the service of the Rapid Transit Company, on the subject of Sunday observance, proved very suggestive. These men were not only intelligent and fairly educated, but they were evidently, without pretense or cant, deeply religious, and the fact that there are such men in the Rapid Transit service is a convincing proof of excellent management. Both of them approved of the most rigid enforcement of the Sunday law, and further claimed that motormen and conductors had the same right as other people to attend church, and, as a corollary, that the service ought to be suspended on the Sabbath.

This introduction brings to mind a prevalent error, from which excellent American citizens are not free, and that is the illogical intermixture of religious with legal questions. The government of the United States and every State and Territory within its limits are powerless, and rightly powerless, to enforce religious observances, or to interfere in any manner with the conduct of any citizen on Sunday or week days, except to the extent that the safety and comfort of the community are affected. There is no religious establishment in the United States, where church and state are and always have been entirely separated. It is this fact that has almost exterminated bigotry and intolerance, and has enabled, it may not be said rival, but competing, church organizations to exhibit an almost unparalleled growth. The rapid approach towards unity on essentials, common to most forms of worship, and the elimination of nonessentials, is chiefly attributable to this fact. Our institutions have done more towards the development of human brotherhood, founded on the recognition of God and the moral law, than all other forms of government combined. The result can be witnessed in this Territory and in every part of the mainland. One of the most noticeable features in Honolulu, for instance, is not only the absence of discord, but the positive harmony between religious bodies that differ widely in their theologies and practices, but agree upon those points that civilization itself treats as fundamental and of transcendent importance.

In the matter of Sunday observance, apart from the features that touch the body politic as a whole, Christian organizations are widely separated. Some, while insisting upon public worship, are not opposed to but favor amusements and enjoyments that, from the American or legal standpoint, may be classed as innocent and harmless. Others are more rigid and exact from their followers' much stricter lives. Some believe in an exact Sabbatarianism. Others are more liberal or more lax. Works of necessity are very limited in the estimation of some and more extended in the opinion of others. If the state could interfere in these matters, to the extent that they affect only individual or social conduct, endless discord would be the result and the Eighteenth would replace the Twentieth Century.

The provisions in the Federal Constitution, which relate to the subject here discussed, are short and worth noting.

In Article 6, Clause 3, it is provided: "No religious test shall ever be required as a qualification to any office or public trust under the United States."

The First Amendment declares: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The Bill of Rights in each state contains corresponding and even broader provisions. The subject has been dealt with in hundreds of decisions throughout the Union and by our greatest jurists and law writers, such as Story, Cooley and Field, and it has become indisputable that neither Congress nor any State or Territory can interfere with the manner of keeping Sunday, except in those respects in which all religious are unanimous and which practically affect the people at large. The subjoined extract from the case of Watson vs. Jones, decided by the Supreme Court of the United States, is powerful in thought and rich in expression: "In this country the full and free right to entertain any religious belief, to practice any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property, and which does not infringe personal rights, is conceded to all. The law knows no heresy, is committed to the support of no dogma, the establishment of no sect."

A special argument, arising from our form of government and from the American conception of civilization, might have been addressed to the two employees, to whom allusion has been made. While the rights of individuals and minorities are closely guarded, under our constitutional system, the good of the majority is invariably consulted. It is most likely that all conductors and motormen, under the broadly liberal policy of the local street car system, can find opportunities to attend church, without endangering their employment. But, if the rule were otherwise and the street cars were motionless on Sunday, what would become of our church-goers, numbering thousands of the population of Honolulu? Age, infirmity, above all custom, have made the street cars as essential as bread and meat to the large majority. Should they be deprived of the opportunity to gratify their own wishes and to perform acts of what they at least conceive to be religious duty, for the special benefit of a few men? This is a question that an American will find it easy to answer.

It is quite evident that High Sheriff Henry's precautions and limitations in his enforcement of the Sunday law are fully justified by American law, by American usage, and by public necessity and sentiment.

CHERISH THE TROPICS.

Opinions like those given below from Walter J. Ballard, Schenectady, N. Y., in a press letter just received by the Advertiser, if embraced extensively in Washington will not do Hawaii any harm. The enormous increases in imports of tropical products—sugar taking the lead and several others being of staples Hawaii either has begun to send to market or else is agitating itself about raising—cannot but strengthen the claim of the insular possessions of the United States to receive an adequate share of protection to home industries. Hawaii has already filed its plea with regard to coffee, the article here raised having a quality that will justify the utmost consideration. Mr. Ballard's argument is for the retention of the Philippines, but it is safe to say that every article he shows to be largely imported can be successfully produced from Hawaiian soil. Incidentally, therefore, his letter's contents bespeak sedulous regard for Hawaiian interests generally in Washington. Mr. Ballard writes as follows:

The democratic and "anti-imperialistic" opponents of republican national control say we do not need tropical possessions. Such, for instance, as the Philippines, Porto Rico and Hawaii. In saying this they overlook the fact that our imports of tropical and sub-tropical products in the fiscal year ended June 30, 1904, amounted to the enormous sum of $430,556,775—nearly $1,500,000 for each working day of the year.

The great growth in these imports in a single generation is shown by the following record, using figures compiled by the chief of the Bureau of Statistics of the Department of Commerce and Labor:

1870	$139,800,086
1890	297,716,578
1904	430,556,775

The increase here given of $158,000,000 in twenty years, and $291,000,000 in thirty-four years, emphasizes our need of tropical possessions in the most striking manner. Our imports from the Philippines, Porto Rico and Hawaii are included in the following proportions:

Hawaii	$25,133,533
Philippines	12,066,934
Porto Rico	11,576,912
Total	$48,777,379

Here we see that our present tropical possessions are only sending us about 11 per cent. of the tropical products we consume. We not only need those islands and all they produce, but we also need to do all in our power to increase the total and diversity of their products. More than that, we also need more possessions of the same kind. It would pay us to buy some more—the Danish and other West Indies, for instance. It stands to reason that as we must pay out so large an amount each year, it would be best to send the money to our own possessions, to benefit our own native and American interests, rather than it should go to countries in which we do not have any personal pecuniary interest.

By quantities, our main tropical imports in the years 1870 and 1904 were:

	1870.	1904.
Sugar, lbs.	1,196,000,000	4,675,000,000
Coffee, lbs.	325,250,000	998,831,000
Rice, lbs.	43,122,000	154,261,000
Tea, lbs.	47,408,000	112,898,000
India rubber, lbs.	9,624,000	59,446,000
Tobacco leaf, lbs.	6,256,000	33,548,000
Cocoa, lbs.	3,640,000	72,777,000
Cotton, lbs.	1,698,000	69,822,000
Silks, lbs.	583,000	16,722,000
Olive Oil, gallons	251,000	1,713,000
Fibers, tons	43,000	299,000

In some of these raw products increases we see the value of the protective tariff against foreign goods made of the same classes of raw products. Raw silk, for example, thirtyfold increase in a single generation. Hence our silk factories. Then fibers, a nearly sevenfold increase; India rubber, a sixfold increase.

In money values the main comparisons are:

	1870.	1904.
Sugar	$69,802,000	$105,734,000
Coffee	24,234,000	70,000,000
Silk	3,617,000	46,100,000
India rubber	3,459,000	42,214,000
Fibers	1,376,000	34,403,000
Fruits and Nuts	7,416,000	24,990,000
Tobacco and manufactures	4,181,000	21,803,000
Tea	13,863,000	18,229,000
Vegetable Oils	2,511,000	10,227,000
Gums	1,288,000	10,171,000
Cocoa	418,000	9,666,000
Cotton (Egyptian)	331,000	9,402,000
Spices	1,513,000	4,266,000
Cabinet Woods	670,000	4,124,000
Rice	1,007,000	3,075,000
Opium	1,776,000	2,350,000
Dye woods and extracts	1,337,000	1,522,000
Indigo	1,202,000	1,282,000

Of the excellence of Porto Rican coffee over the cheaper grades from Brazil and other countries, President Roosevelt and others have testified. Porto Rico needs help, particularly in her coffee industry. Buying more of her coffee would be an easy way for us to afford some of the help she needs.

It is now generally known that in the Philippines there are many varieties of cabinet woods in profusion, equal in quality and more beautiful in appearance than those we now buy from South America. The forests of the islands also abound in gums of all kinds we use. The islands also produce indigo, dye woods and extracts, and several of the products named.

In the face of the above facts, the only "Imperialism" is our imperial need of tropical possessions to grow our own tropical products.

MORE SUCCESS TO CRIME.

Another total miscarriage of justice has taken place in the trial and acquittal of Mahaulu—a result brought about in the main by the technical rulings of Judge Gear in favor of the defendant. This trial has been in marked contrast with the one held a few weeks ago before Judge Robinson in which E. S. Boyd was arraigned. In that case practically the same state of facts existed. Boyd had been chief of the Land Department and Mahaulu was his chief clerk. Both had been falsifying records for years and between them some $10,000 or $12,000 were stolen. The only difference noted at the two trials was the manner in which the judges handled the law. The Boyd trial only lasted three days and the jury, fairly and impartially instructed, found a verdict of guilty within five minutes. In the present case, thanks to Judge Gear's assiduous use of technicalities in favor of the accused, the trial took eleven days, ending in the unanimous acquittal of a man who, according to his own corroborated statement, has, for five years past, been looting the treasury.

Apparently Judge Gear is resolved upon ending his career on the bench as he began it, by encouraging, rewarding and "vindicating" Crime to the success of which he once pledged a toast at a banquet given by Chinese law-breakers whose most effective enemy, accused by them of criminal libel, he had caused to be put behind the bars.

THE McGURN-VIDA CASE.

It is not easy to reconcile the dismissal of Deputy Sheriff McGurn with the merit system which ought to govern all appointments in the civil service of the Territory. No charge has been made against McGurn; his competency and faithfulness are admitted. He had to go simply because another man, who had been of service in the late election, wanted his job. A party debt was to be paid and McGurn was not the man to whom it was owing.

To turn out a good man for one who is no better—putting the relative value mildly—but who asks to be provided for, is a process Hawaii is not used to and one which introduces the worst features of spoils politics. Such methods have always had the hearty disapproval of President Roosevelt and of all men who put good government above the payment of organization debts.

OBJECTIONS TO FARMING.

Mr. Hannestad rejoins to the Advertiser's answer to his letter on diversified farming, in substance as follows:

(1.) He admits that the American pioneers went without a market much of the time when they were pushing the frontier westward, but asks us "to consider the wrecks that are lying along that road."

Wrecks to be sure. As Bismarck said, "When an omelet is to be made some eggs must be broken." There are wrecks at sea, but ocean commerce does not stop for that. There are conflagrations in cities, but the growth of cities does not cease. Drouths and grasshoppers spoil a season's crop, but farmers keep on tilling the soil. When one suggests leaving Hawaiian public lands to the underbrush because some farmers may fail in tilling them, he summons progress to wait on the lagging pace of the unlucky or the incompetent. Happily that is not the spirit which has enabled the United States to do more development in 100 years than any European State has done in 300.

(2.) Mr. Hannestad, answering the plea that white farmers would cause villages to grow up, where tradesmen, mechanics and professional people would gather, says that we "have more than enough of such inhabitants already."

True enough, on the basis of the present population. Not true as respects a large additional population of white farmers. The kind of population the rest of the United States has, is the sort we want.

(3.) "Pioneer conditions," says Mr. Hannestad, "are not to be compared with the conditions on these islands today."

That is to say ours are better—more favorable to the pioneer.

(4.) "Where are the steamers to take away the farmers' products?"

That question was asked of the planters many years ago. The answer came with two lines of inter-island steamers which carried the sugar to Honolulu where it was trans-shipped upon eastbound vessels. Farmers who raise sisal, pineapples, tobacco, rubber, vanilla, bananas, etc., may avail themselves of the same facilities; and as their output increases, their facilities will increase.

(5.) "It was not the farmers who built the railroads on the mainland; it was the railroads that built the farmers."

That refers to the prairie West. In the East there was a great farming population long before the railroad came. There was a fair-sized one in the Western border States, Kansas and Nebraska, for example. But back East, farming went on prosperously from the middle of the seventeenth century until the forties, when the railroad came. The richest agricultural region in Central New York was forty to sixty miles from a railroad until 1868. The counties there, except those containing cities, had as large a population forty years ago as they have now. Farm products had slow transit to the cities and the intermediate villages took toll from them. And all this time diversified farming was the life of the land as it yet is.

(6.) "If you intend to continue this discussion, then, pray, let us have a little variation; it commences to be rather trivial now."

If the discussion has become trivial some of the Advertiser's correspondents are to blame.

THERE IS A DISTINCTION.

An article in the Weekly Hawaii Shinpo on the Koolau "moonshining" case contains the following passages, respectively in the opening and in the closing, which quite furnish the gist of the whole:

1. "The Koolau Japanese who are accused of making okolehao and who claim to have paid a deputy sheriff for the privilege, stand in the position of men who have done wrong with the permission of the best authority they knew of, supposing that their story of money paid to the deputy sheriff is true."

2. "The Sunday laws have been openly and flagrantly violated, by permission of High Sheriff Brown for years,—not for any payment, of course, but by reason of general public sentiment against enforcing such laws too strictly. When the police changed and the violations were ordered stopped, there were no prosecutions for the offenses already done. Why? Because the offenses had been committed with permission of the highest police authority having jurisdiction. The case is exactly the same with the Waialua Japanese distillers."

Not quite so. The Sunday law indulgence was tacitly almost universal and not responsive to individual requests. It was as much of public as of police consent. The Government itself gave a broad construction, saying the least, to the law in ordering Sunday band concerts. When the very author of the Sunday law was in supreme command of the military, he permitted rifle target practice in the heart of the city and sham battles in the suburbs on Sunday. None of the privileges mentioned were bought. There is a pretty wide distinction between that state of affairs and the conditions created by Japanese who organized with capital to buy immunity of punishment for a variety of offenses against laws upon the utility and necessity of which the community has never been divided in sentiment. If the Koolau Japanese distillers knew enough to be aware that there was a law from which they needed to be protected, then they distilled liquor knowing that it was in violation of law. No doubt in the world, also, they knew that the bribing of police officers was an additional violation of law. They at all events knew where they might find respectable fellow countrymen who would gladly have advised them rightly in both respects. It will be a benefit to other Japanese, anyway, to make an example of these—if proved guilty—which will quickly be known by people of that nationality all over the Territory.

THE SUNDAY PAPER.

"Hawaii Nei a Generation Ago" will continue in the Sunday paper, with copious illustrations of scenes and people. These old-time impressions of the late Charles Nordhoff have been followed with general interest by kamainas and malihinis alike.

Sol N. Sheridan will have a department of his own in the Sunday issue, headed "Small Talks," which the readers of the paper will find fresh and interesting.

The other departmental features, Society, The Bystander, Mr. Logan's Commercial column, etc., will not lack for scope or cogency.

The local and cable news, the editorial comment, the bright and snappy pictures, the well-chosen miscellany, will need all the space the new 12-page form can give them.

The Governor does well to be wary about Central Committee indorsements. There are at least nine pictures, due the Rogue's Gallery, of men whom that committee has indorsed for office during the past four years. As the Governor is responsible for the official conduct of the Territory's business, he is wise in keeping appointments from being used by the committee to pay its campaign debts, some of which are extremely dubious.

If Gen. Kuroki's death occurred, the failure to report it may be due to the curious Japanese custom of assuming that a man is alive for days or weeks after his demise. When old Prince Arisugawa passed away several years ago, the fiction of his mortal existence was maintained for a month, even to the extent of having the embalmed corpse, dressed in full uniform, driven in the park on pleasant afternoons.

The only power in the Territory that can widely promote diversified farming is the Government. It has the land and the right to dispose of it and buyers are clamoring for a foothold. If the farm propaganda succeeds it will be because the Government has decided to develop this Territory "along traditional American lines."

The severe letter lately sent by the President in answer to the request of Former Postmaster General Tyner for a rehearing, seems to have put a finishing touch on the old man's life. The letter was apparently just but Tyner, in his worried and enfeebled state, could not bear up under it.

The double-tracking of the Siberian railway does not hold out much hope of an early peace. It is a purely military measure, immensely costly, and shows that Russia has no idea of concluding a peace before her full strength can be brought to bear in Manchuria.

It is suspected that the uniform of the Adjutant General of Massachusetts has several pounds more of gold braid on the front than that of the Lieutenant General of the Army.

YOU TAKE DESPERATE CHANCES WHEN YOU NEGLECT A COLD.

It should be borne in mind that every cold weakens the lungs, lowers the vitality and makes the system less able to withstand each succeeding cold, thereby paving the way for more serious diseases. Can you afford to take such desperate chances when Chamberlain's Cough Remedy, famous for its cures of colds, can be had for a trifle? Sold by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

LOCAL BREVITIES.

(From Saturday's Advertiser)

A young Portuguese at Makiki fell from a windmill twenty-five feet and was seriously injured, but at latest accounts he had taken a turn for recovery.

Arthur McDuffie the former detective, exhibits an honorable discharge from the United States hospital corps given to him at Corregidor Island in 1899.

Chas. R. Buckland, who has been acting chief clerk in the office of the Secretary of Hawaii, has been permanently installed in the position by Governor Carter.

Mrs. Q. H. Berrey will return to Honolulu on the Siberia on December 21. Owing to illness after reaching the coast, Mrs. Berrey did not go East from there.

Yamasaki is under arrest in Hilo for the murder of a fellow-countryman of Japan named Yoshihachi. The victim was shot in the back. Jealousy about a woman is given as the motive of the deed.

There has been a great demand for copies of the Pacific Commercial Advertiser containing Mr. Blackman's article on sisal. This number is out of print and has been republished in the Hawaiian Forester and Agriculturist for September, copies of which are on sale at this office at 10c. a copy.

The well-known American ship W. F. Babcock has put into Bermuda in distress, with cargo shifted and rudder broken. She is bound from Port Blakely for Boston with lumber.—Call.

Miss Lansdale of Baltimore, sister of Philip Lansdale, formerly of Honolulu, is engaged to Edward Howard of San Mateo.

While William Weeks, son of Henry Weeks of Kainaliu, Kona, was confined to his home from being kicked in the abdomen by a horse he met with another accident. A companion visiting him carelessly handled a revolver the two boys were inspecting, causing the discharge of a bullet into the leg of Weeks.

(From Sunday's Advertiser)

The Farmers' Institute will assess a membership fee of one dollar to meet expenses.

H. Hackfeld & Co. have issued a new schedule for steamers of the American-Hawaiian Steamship Co.

Charles J. Gliddin and wife, who are touring the world with a motor car, are coming in the Moana from Vancouver this month.

The monthly meeting of the Woman's Guild of St. Andrew's cathedral will be held at 2:30 p. m. tomorrow with Mrs. Bickerton, Waikiki.

A three-act farce entitled, "A Trip to Honolulu," under the management of J. Turner Wall, may be produced here. It is now touring the West.

The Ellis Bros. Quintet Club request patrons who wish their services during the holidays to make appointments now to prevent duplication of dates.

A Moiliili tough created a disturbance on the 6:30 Waialae car yesterday evening by ringing the bell, throwing off the trolley and general blustering.

The suggestion that Judge Gear may assign remaining criminal cases to Judge Robinson is given out rather late, since Judge Robinson has notified his jurors that they are excused for the rest of the term.

(From Monday's Advertiser)

Tuesday and Wednesday are the last days of the Kilohana Art Exhibition.

Judge Dole will hear the Honolulu Clay Co. bankruptcy matter on Thursday.

The Royal Hawaiian Hotel is being offered for sale or to lease in the Mainland papers.

Governor Carter was kept at home yesterday afternoon by a slight indisposition, but will be at his office today.

Honolulu Branch of the Theosophical Society meets now and until further notice in Kaiolani building, room No. 22, at 7:30 on Tuesday and Thursday evenings. Visitors welcome.

A banquet will be given this evening at the Masonic Temple for Mr. Goetz of Lodge Le Progres, who leaves for the mainland on the Mongolia.

There is a probability that the dispute over Mr. Walker's bid for the Alakea street slip will be referred to the Supreme Court on a submission of facts.

Secretary Atkinson meant to be home by Christmas when he went to Washington, but the nearest he can come to that will be to arrive on the steamer due on December 31st.

Work of the new jury commission will be facilitated toward efficiency by the service Wm. T. Rawlins performed as chairman of the board of registration. He marked the names of native voters who were familiar with the English language.

Land Commissioner Pratt will leave for the Coast on the Ventura today. He expects to be away twenty-two days, but may be absent thirty. No steps will be taken to open the Palolo lands to settlement until his return, although the surveyor will keep on working to get the tract ready to offer.

Hack Inspector Sam Macy yesterday caused the arrest of E. H. Lewis of the Stockyards Stables, the warrant charging the defendant with having rented an unlicensed vehicle for the purpose of carrying passengers for hire. The arrest arises out of complaints made by regularly licensed hackmen that Mr. Lewis sent rigs to meet steamers and to pick up passengers. The matter will be made a test case.

On Thursday evening, December 8, at 8 o'clock, Mrs. Walter F. Frear will speak at Engleside, the Y. W. C. A. Home, her subject being, "The Poetry of Edward Roland Sill: An Appreciation." The paper will be illustrated by readings from Sill's poems, and two of the latter have been set to music by Mrs. Frear and will be sung. The public is cordially invited to be present, a special invitation being extended to all Y. W. and Y. M. C. A. members.

Catarrh

Is a discharge from the mucous membrane of the nose, throat, stomach, bowels, etc., when kept in a state of inflammation by an impure condition of the blood and a want of tone in the system.

Soothe the inflamed membrane, strengthen the weakened system, and the discharge will stop—to do this purify the blood.

"I was troubled with catarrh for years and tried various remedies but found nothing that would cure me. I then resolved to try Hood's Sarsaparilla and took four bottles which entirely cured me. I have never been troubled with catarrh since. As a blood purifier I can find nothing else equal to Hood's Sarsaparilla." WILLIAM SHERMAN, 1030 5th St., Milwaukee, Wis.

Hood's Sarsaparilla

Cures catarrh radically and permanently—removes its cause and overcomes all its effects.

Accept no substitute.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, T. J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, Dec. 5, 1904.

NAME OF STOCK.	Capital.	Val.	Bid.	Ask.
MERCANTILE.				
C. Brewer & Co.	$1,000,000	100	340	...
SUGAR.				
Ewa	5,000,000	20	23¾	...
Haw. Agricultural	1,200,000	100	...	110
Haw. Com. & Sugar Co.	2,512,750	100	...	75
Hawaiian Sugar Co.	2,000,000	20	30½	31½
Honomu	750,000	100	...	140
Honokaa	2,000,000	20	...	...
Haiku	500,000	100	180	...
Kahuku	500,000	20	24	...
Kihei Plan. Co., Ltd.	2,500,000	10	11½	12¾
Kipahulu	180,000	100	...	...
Koloa	500,000	100	...	...
McBryde Sug. Co., Ltd.	3,500,000	20	5	...
Oahu Sugar Co.	3,600,000	100	100	...
Onomea	1,000,000	20	31½	...
Ookala	500,000	20	...	6
Olaa Sugar Co., Ltd.	5,000,000	20	4½	...
Olowalu	150,000	100	...	...
Paauhau Sug Plan Co.	5,000,000	20	...	...
Pacific	500,000	100	...	...
Pala	750,000	100	130	...
Pepeekeo	750,000	100	...	...
Pioneer	2,750,000	100	123½	125
Waialua Agri. Co.	4,500,000	100	...	72½
Wailuku	790,000	100	...	95
Waimanalo	252,000	100	...	150
STEAMSHIP COS.				
Wilder S. S. Co.	500,000	100	...	...
Inter-Island S. S. Co.	600,000	100	107½	...
MISCELLANEOUS.				
Haw. Electric Co	500,000	100	...	...
H. R. T. & L. Co., pd	...	...	...	100
H. R. T. & L. Co., C	1,000,000	100	...	70
Mutual Tel. Co.	150,000	...	...	...
O. R. & L. Co.	4,000,000	...	...	70
Hilo R. R. Co.	1,000,000	...	...	...
BONDS.				
Haw. Ter., 4 p. c. (Fire Claims)	...	...	...	...
Haw. Terri. 4½ p. c.	...	...	...	...
Haw. Gov't. 5 p. c.	...	...	100	...
Hawn. Coml. & Sugar Co. 5 p. c.	...	...	...	...
Ewa Plan., 6 p. c.	...	...	100	...
Haiku 6 p. c.	...	...	101	...
Hawaiian Sugar 6 p. c.	...	...	100	101
Hilo R. R. Co., 6 p. c.	...	...	...	98
Hon. R. T. & L. Co., 6 p. c.	...	...	...	105
Kahuku 6 p. c.	...	...	100	...
O. R. & L. Co., 6 p. c.	...	...	...	105
Oahu Sugar Co., 6 p. c.	...	...	100	...
Olaa Sugar Co., 6 p. c.	...	...	...	98
Paia 6 p. c.	...	...	100	...
Pioneer Mill Co. 6 p. c.	...	...	100	...
Waialua Ag. Co., 6 p. c.	...	...	99	100

SALES BETWEEN BOARDS.

Twenty Waialua, $70; 100 Ewa, $26.

TIDES, SUN AND MOON.

Day	Dec.	High Tide Large.	Ht of Tide	High Tide Small.	Low Tide	Low Tide Large.	Low Tide Small.	Sun rises.	Sun sets.	Moon rises and sets
		a.m.	ft	p.m.	p.m.	a.m.				rises
M	5	2.22	2.0	2.14	8.00	9.12	6.24	5.18		4.53
T	6	3.04	2.1	2.58	8.37	10.02	6.25	5.18		5.53
W	7	3.44	2.1	3.42	9.15	10.49	6.25	5.18		Sets.
T	8	4.25	2.1	4.29	9.56	11.33	6.26	5.18		7.12
						p.m.				
F	9	5.02	2.0	5.18	10.38	12.12	6.26	5.19		8.07
S	10	5.40	1.9	6.15	11.17	12.53	6.27	5.19		9.01
S	11	6.15	1.8	7.20	...	1.33	6.28	5.19		9.54
						a.m.				
M	12	6.57	1.6	8.30	2.07	0.12	6.28	5.20		10.46

New moon Dec. 6th at 5:15 p. m.

Times of the tide are taken from the United States Coast and Geodetic Survey tables.

The tides at Kahului and Hilo occur about one hour earlier than at Honolulu.

Hawaiian standard time is 10 hours 30 minutes slower than Greenwich time, being that of the meridian of 157 degrees thirty minutes. The time whistle blows at 1:30 p. m., which is the same as Greenwich, 0 hours 0 minutes. Sun and moon are for local time for the whole group.

METEOROLOGICAL RECORD.

Issued by the U. S. Weather Bureau Office Every Sunday Morning.

Day	Nov.-Dec.	MEAN BAROM.	THERM. Max	THERM. Min	Rainfall to 8 p m	Humidity	Average Cloudiness	WIND Direction	WIND Av. Vel.
S	27	29.98	76	63	1.62	88	10	E	12
M	28	30.04	76	65	1.25	81	9	E	6
T	29	31.00	80	70	.00	78	10	VAR	5
W	30	30.00	80	71	T	80	8	SE	5
T	1	29.96	78	70	.05	85	7	S	20
F	2	29.85	78	72	.16	88	10	S	15
S	3	29.84	78	71	.46	90	8	S	15

Note:—Barometer readings are corrected for temperature, instrumental errors, and local gravity, and reduced to sea level. Average cloudiness stated in scale from 0 to 10. Direction of wind is prevailing direction during 24 hours ending at 8 p. m. Velocity of wind is average velocity in miles per hour.

ALEX. McC. ASHLEY, Section Director, in Charge.

CITY LAND IN DISPUTE

Report of Receivership. Habeas Corpus. Probate.

Judge De Bolt yesterday began hearing the trial by jury of the ejectment case of Ching Man Sing vs. Mary A. Richards and Theodore Richards, her husband; Albert N. Campbell, trustee; Lewers & Cooke, Ltd.; Oahu Lumber & Building Co., Ltd., and C. K. Ai. R. D. Mead and J. L. Warren for plaintiff; Castle & Withington and F. Andrade for defendants.

The jury consists of C. H. Bellina, C. H. Clapp, Edgar L. Lewis, L. Marks, E. S. Cunha, Sam. K. Aki, J. M. Dowsett, M. J. Carroll, E. R. Bath, J. C. Quinn, John A. McCandless and W. M. Buchanan.

The suit is for 27-100 acre of land in Honolulu and $3000 for unlawful detention thereof. As improved the property is known as Camp No. 2 of the 1900 quarantine period, situated on Vineyard street.

NIGHT SESSION.

Judge Gear held a night session yesterday for the Parker guardianship hearing.

Criminal cases will be called before Judge Gear this morning, to set them for trial or other disposition.

Judge Robinson has issued a special venire for 25 jurors, returnable next Monday morning. Unfortunately the drawing resulted in a list of names whose owners are, in a large proportion, either disqualified or absent from the jurisdiction.

HABEAS CORPUS RETURN.

High Sheriff Henry yesterday filed a return to the petition of Fukunaga for a writ of habeas corpus. He denies that the fishery penal law under which Fukunaga was convicted was repealed by the Organic Act, that the District Magistrate of Ewa had no jurisdiction and that all the proceedings ending in the detention of the petitioner are null and void.

A DIFFICULT ROUNDUP.

Franz Buchholtz, receiver in the suit of H. Hackfeld & Co., Ltd., vs. Achi et al., has sent his final report to Judge Robinson, containing a bill of expenses amounting to $500.95. The property is in South Kona. To round up about 200 cattle and 30 horses and mules, a fence about 6000 feet long to make a paddock of about 400 acres was built. There are said to be about 60 pigs and 30 donkeys roaming over a large tract of land overgrown with shrubs and cactus, the driving of which animals the receiver considered would have been too expensive. He therefore merely took care that none of the pigs or donkeys should be stolen.

Kinney, McClanahan & Cooper in the same case, on behalf of the plaintiff, moves for confirmation of the sale of the property under the court's decree. One parcel of land was sold to Franz Buchholtz for $9500 and another parcel to the same purchaser for $4250.

S. E. DAMON'S ESTATE.

Gertrude Damon, executrix, has filed an inventory of the estate of the late S. E. Damon. The personal property amounts in value to $5770 and the real estate to $26,000, a total of $31,770.

COURT NOTES.

A general denial is filed by the defendants to the reamended complaint of the firm of Yan Wo Tong against Hoffschlaeger Co., Ltd., and High Sheriff A. M. Brown. Thayer & Hemenway and Holmes & Stanley represent the defendants.

Judge De Bolt yesterday allowed the accounts and ordered the discharge of George E. Rugg, administrator of the estate of Chester Merrill Rugg, deceased. R. D. Mead for petitioner.

W. H. Hoogs by his attorneys, Thompson & Clemons, answers the complaint of the Hawaiian Hardware Co., Ltd., in assumpsit with a general denial.

In the injunction suit of Isidor Rubinstein & Co. vs. H. Hackfeld & Co., Ltd., the defendant has filed notice of motion to set the trial for a day certain. A decision was given some time ago dissolving the temporary injunction. The matter relates to the Hawaiian agency for "Little Joker" tobacco.

Henry E. Highton, attorney for libellee in the Hurtt divorce case, yesterday represented before Judge Gear that his client was insane when she was served with the summons. It was held by the court, under a Hawaiian decision, that divorce summons would hold against an insane person. Time to answer was made ten days. P. L. Weaver and G. A. Davis appeared for libellant.

A contest by creditors over the estate of A. B. Scrimgeour, deceased, is pending before Judge Gear. W. A. Whiting has filed his appearance for E. F. Bishop.

MURDERED AT IWILEI.

(Continued from page 1.)

dark moisture. This towel was undoubtedly used for wiping the hands after they had been rinsed in the bucket outside the door.

Behind the trunk were several portions of a broken beer bottle. The bottom section had blood stains upon it. A heap of broken bits had also been swept to one side of the room.

The bed sheet had several stains upon it. A pane of glass had been broken and pieces were lying inside. The wound in the throat apparently severed the jugular vein for the loss of blood was frightful.

KOSEKI FLED.

After the departure of the guests, in just what manner was not known to the police at a late hour, Koseki disappeared. The appearance of his room at Iwilei indicated that he had not gone thither after the tragedy. Officers Toma Abe, Tanaka, Miki and others were sent out to scour the city. Miyamoto, Saito and another Japanese were taken to the Station House and are being held for investigation. There were blood stains upon the sleeve of Miyamoto's kimono, but he explains these as having probably adhered to the same when he examined the body of his friend.

A queer thing is that when the police found the body a beer bottle had been placed under Suyemoto's neck. The arms were lying at full length and close to his body. The man lay partly on his side and looked as if he had died without a struggle.

CORONER'S JURY.

A coroner's jury viewed the remains about midnight and will hold an inquest at 7:30 this evening.

BLOODY SOCKS FOUND.

About 1 o'clock this morning Detective Miki brought to the Police Station the man Furuta, who was one of the guests. He also delivered to the station clerk a pair of heavy, gray (originally) socks, covered with mud and smeared here and there with blood. Furuta had notified the police that on returning to his room, which is about 500 feet away from the place where the tragedy occurred, he had found the socks and a pair of underdrawers lying on the floor in a heap. He identified them instantly as belonging to Koseki.

Furuta stated that after the first fight he and two or three others left, leaving Koseki, among others, in the room. He then went to visit a friend. On returning to his room later he found the tell-tale evidences of Koseki's crime. The floor matting in places showed blood stains. It was evident that Koseki wished to divert suspicion from himself and fasten it upon Furuta.

Furuta stated that beer bottles were used in the fight between Koseki and Suyemoto.

At 2:20 this morning the geisha girl who had been entertaining the guests with music was still telling her story to Deputy Sheriff Rawlins. She is just from Hilo and knew none of the participants in the row. She stated that one of the men said that the other was "cheeky" and that they went at each other. There was a lull and then things began to get lively again and fearing that something would happen she left.

THE HAYASHIDA CASE.

Hayashida was indicted for the murder of one Sato at Waipahu, May 29, 1904. He clubbed his victim over the head. After various legal delays and much trouble in obtaining a jury his trial was begun on Sept. 29 and on the following day the jury returned a verdict of guilty of manslaughter in the first degree. He was sentenced to twenty years' imprisonment.

MAJOR POTTER DOING WELL AT VOLCANO

Major George C. Potter writes from the Volcano House that the weather has been superb, night temperature going as low as 44 deg. day time in the neighborhood of 60 deg. He says he is quite convalescent from his recent illness and the serious operation he underwent in Miss Johnson's sanatorium.

The good treatment he has received at the Volcano House and the magnificient fresh vegetables of all kinds grown in the hotel gardens, are especial themes of satisfaction to him. He expects to return to Honolulu next Saturday or the week following and report for duty on his arrival.

MORTUARY REPORT FOR NOVEMBER

Registrar Lawrence reports the deaths in Honolulu for November as 64, nationally divided thus: Hawaiian, 29; Chinese, 7; Japanese, 18; Portuguese, 6; Great Britain, 1; U. S. A., 2; other, 1. By sexes there were 45 males and 19 females. Two were non-resident. There were 11 deaths investigated, 3 postmortem examinations and 2 coroner's inquests. The monthly death rate per 1000 inhabitants was 1.63. Infantile mortality is represented by 11 deaths under one year, 5 from one year to five years and 1 from five to ten years, a total of 17 from birth to ten years of age.

Causes of death are thus generalized: Febrile, 4; diarrheal, 1; septic, 1; dietetic, 3; constitutional, 19; developmental, 2; nervous, 8; circulatory, 1; respiratory, 6; digestive, 10; urinary, 3; osseous and integumentary, 3; accident and violence, 1; suicide, 2.

EVERYBODY USES CHAMBERLAIN'S COUGH REMEDY.

"Mothers buy it for croupy children, railroadmen buy it for severe coughs and elderly people buy it for la grippe," say Moore Bros., Eldon, Iowa, U. S. A. "We sell more of Chamberlain's Cough Remedy than any other kind. It seems to have taken the lead over several other good brands." For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

The Brotherhood of St. Andrew will celebrate their second anniversary by combining with the Woman's Guild and Auxiliary of St. Andrew's cathedral in giving a farewell reception to Rev. and Mrs. Simpson on Thursday, Nov. 8th, at 8 p. m., in the Sunday school rooms. No further invitations will be issued, but church people generally and their friends are most cordially invited.

NO HIRING NO FEE DUE

Lawyer Who's His Own Client Cannot Collect.

An interesting decision on the question of allowing an attorney a fee in the taxation of costs where he has pleaded his own case was rendered yesterday by Judge Robinson. It seems to be against the principle heretofore admitted in the local courts, where executors and guardians of estates have collected snug fees for themselves in addition to commissions.

This case is that of H. G. Middleditch, trustee in bankruptcy of Chas. F. Herrick Carriage Co., Ltd., vs. David Kawananakoa. Defendant moved to revoke and set aside the order of the court made on November 15 last, wherein the plaintiff's bill of costs was taxed at $59.35, the ground of motion being "that said order was improvidently and inadvertently made without consideration of the fact that said plaintiff is not entitled to have taxed as costs herein any attorney's fee, he being a duly licensed attorney of this court and having acted in his own behalf at the trial of this cause and at and during all of the proceedings had herein."

After considering the common law and citing several authorities, the court grants the motion and taxes the plaintiff's costs at $17.75 instead of the bill revoked. Judge Robinson in the course of his decision makes the following observations:

"At common law, costs were not recoverable expressly by name in any case by either the plaintiff or defendant, but in practice, in cases where the plaintiff recovered damages, a certain amount was generally added thereto by the jury to compensate him for the expense to which he had been put, and when the defendant was successful the plaintiff was amerced by the king pro falso clamore.

"In their origin they were given rather as a punishment of the defeated party for causing the litigation than as a recompense to the successful party for the expenses to which he had been subjected. Now, however, the latter theory generally obtains in the legislation in regard to them.

"All taxable costs, therefore, are of statutory creation, and if recoverable at all are recoverable only by virtue of the statute creating them.

"It is difficult to ascertain from the statutes in force in this Territory in regard to the taxation of attorney's fees as costs whether the legislature, in imposing this class of costs, intended them as a punishment of the defeated party for causing the litigation or as a recompense to the successful party for the expenses to which he had been subjected. But whether intended as a penalty or not, I am inclined to the opinion that a party is not entitled to attorney's fees, eo nomine, unless he has actually incurred some expense for services rendered by an attorney."

HAGEY CURE CASE IS UP

The Ownership of Hotel Street Property Decided.

When the celebrated Hagey cure case has been finally determined, the Judiciary department will be fairly entitled to a month's vacation. It is up again in the Supreme Court on the plaintiff's appeal from Judge Robinson's judgment of nonsuit. Several points not hitherto decided are likely to be cleared up on this occasion. Robertson & Wilder are assisting the plaintiff in person, T. M. Harrison, and Kinney, McClanahan & Cooper and S. H. Derby are associated with J. Alfred Magoon in person for himself and the other defendants. Mr. Harrison made the principal argument on his own side yesterday. The hearing continues today.

OLD CASE DETERMINED.

Exceptions to verdict for the plaintiff in the suit of Hawaiian Trust and Investment Co., Ltd., vs. Annie Barton, Helen A. Dunning, Gear, Lansing & Co., J. Oswald Lutted and Sullivan & Buckley are overruled by a unanimous decision of the Supreme Court. Justice Hartwell is author of the opinion in which Circuit Judge Robinson sitting in place of Justice Hatch, joins, Chief Justice Frear writing a short concurring opinion. Kinney, McClanahan & Cooper and S. H. Derby appeared for plaintiff; Robertson & Wilder and Holmes & Stanley for defendants.

The plantiff brought an action of ejectment and obtained a verdict in its favor for an undivided fourth of certain land and premises in Honolulu known as the Canton Hotel, basing its claim on a conveyance from George A. Aldrich dated October 31, 1898, who claimed the property by inheritance from his mother, Elizabeth M. Aldrich, one of the devisees under the will of R. W. Holt, and who died intestate leaving four children including the son. By Holt's will his widow received an annuity of $800 for life. One-fourth of all the rest of his property went to each of his three sons for life over to their respective heirs. The remaining fourth was devised directly to his said daughter. The land was patented to James Robinson, Robert Lawrence and Robert W. Holt, who held the land as partnership property. The executor of Holt's will filed a bill in equity for sale and division and the surviving partners concurred therein, the executor, as trustee for the legatees, bought the parcels of land for an aggregate of $26,680, the surviving parties received their shares and the executor obtained a deed of the Canton Hotel premises. Though the agreement of partition was a parol one, everything seems to have been approved by the probate court of the time.

In 1863 there was a division of property between Holt's heirs, when Mrs. Aldrich accepted, as part of the settlement with her, the Canton Hotel premises. The conveyance by her son to plaintiff mentioned above was attacked in this suit on two grounds. First, that the words, "for the uses and purposes therein set forth," were omitted from the certificate of acknowledgment. Second, that Aldrich was insane when he gave the deed. Exceptions were taken to the refusal of the trial court to admit in evidence records of the Superior Court of San Francisco, to prove Aldrich's insanity.

It was contended by the plaintiff that the legal title was in Mrs. Aldrich, that a parol partition was made which was sufficient under our statute, that the certificate of acknowledgment was not radically defective, that a conveyance by an insane person is not absolutely void but merely voidable and cannot be attacked collaterally; also that the evidence of the grantor's insanity was incompetent.

The findings of the court to support the affirming of the verdict are in condensed form the following:

1. The conveyance in 1862 to Aldrich, trustee under Holt's will, vests the legal title in the testator's daughter Elizabeth, to whom the will devised an undivided fourth of the estate.

2. A sufficient memorandum was signed by the parties in interest to show a partition.

3. The certificate of acknowledgment of the deed is substantially in the form required by statute.

4. Records of the California court to show insanity of the grantor of a deed are inadmissible as evidence, because the requirements of Hawaiian law were not fulfilled—namely, notice to the insane person and the appointment of a guardian to protect his interests.

There are quotations in the court's opinion from ancient English statutes with the funny spelling of past centuries.

Prior to the trial reviewed in this decision there was another trial of the case, when a judgment of nonsuit was given which was reversed by the Supreme Court. The property is situated on Hotel street, mauka, between Fort and Bethel streets.

FULL INDEXING MADE OF THE ORGANIC ACT

The act passed by Congress creating a government for Hawaii repeals and amends scores of civil and criminal statutes previously enacted by Hawaiian legislatures.

No man knows what is in the Organic Act except through the medium of an index. The previously printed copies of this law in use in Hawaii contain only 657 indexed subjects.

The index of the Organic Act in the "Fundamental Law of Hawaii" contains 1399 indexed subjects and cross references.

REPEALED LAWS NOT HERETOFORE INDEXED.

Some of the Hawaiian Statutes repealed by the Organic Act, which are not indexed in the previous publication, but which are fully indexed in the Fundamental Law of Hawaii are as follows:

CIVIL LAWS.

Promulgation of Laws.
Concerning the Hawaiian Flag.
Concerning the Hawaiian Great Seal.
Tenders for Supplies.
Duties of Minister of Foreign Affairs.
Diplomatic and Consular Agents.
National Museum.
Education of Hawaiian Youths abroad.
Aid to Board of Education.
Duties of Minister of Interior.
Government Lands.
Commissioners of Public Lands.
Bureau of Agriculture and Forestry.
Agriculture and Manufactures.
Ramie. Taro Flour.
Development of Hawaiian resources.
Agriculture, Brands, Patents, Railroad subsidies, Hospitals.
Coins and Currency.
Consolidation of Public Debt.
Post Office and Postage.
Postal Savings Bank.
Imports and Import duties.
Ports of Entry.
Collectors of Customs.
Registry of Vessels.
Custom House Charges.
Elections, Appointment of Magistrates.
Jurisdiction of Circuit Courts and Circuit Judges.
Translation of Court Decisions.
Jury Law, Maritime Laws.
Naturalization, Habeas Corpus.
Arrest of Debtors, Garnishment.
Liens on Vessels, Bankruptcy.
Water Rights.

PENAL LAWS.

Treason, Foot Binding.
Violation of Postal Laws, Blasphemy.
Vagrancy, Manufacture of Liquors.
Offenses on High Seas.
Criminal Jurisdiction of District Magistrates.
Criminal Jurisdiction of Supreme Court.
Import Regulations.
Auction Licenses.
Commercial Travelers.
Fire Arms, Coasting Trade.
Peddling Goods.
Importation of Live Stock.
Imports, Quarantine.
Consuls and Consular Agents.
Whale Ships.
Arrival, Entry and Departure of Vessels.
Navigation, Fraudulent Exportation.
Master and Servants.
Immigration, Agriculture and Forestry.
Seditious Offenses.
Sailing Regulations.

SESSION LAWS.

Duties and Exemptions therefrom.
Registry of Vessels, Elections.
Importation of live stock.
Pacific Cable.
Consolidation of Public Debt.
Ports of Entry.
Chinese Immigration.

FINDS FAULT WITH JUDICIARY CLERKS

Editor Advertiser:—You are frequently — quite frequently — finding faults with the conduct of the public business in this Territory, and there can be no doubt, that your fair, if at times piercing criticism has had good results in the interest of good government. While you have devoted your efforts to keeping the departments in the Executive Building up to the standard, you have neglected your opportunities in the Judiciary Building, except in re Gear, who, for obvious reasons, was your own (tender and juicy) meat.

The business end of our courts, however, deserves a great deal of honest criticism, and the ancient, even fossilized methods in vogue in the clerical department of the Supreme Court should have the earliest attention of legislative committees, as well as of your generally successful criticism. There is no department in the government conducted in such a slack and indifferent manner as that of the clerical end of the Supreme Court. The incumbents of the positions there have arrived at the conclusion, that they are no longer the servants of the public but that they belong to a higher and specially elevated sphere. Scant courtesy is granted to people having business in the courts, and even citizens serving—very much against their will—as jurors are treated in a most offensive and discourteous manner by the clerks. A special instance, which I through these lines wish to call attention to, is the difficulty which jurors meet in collecting the moneys due them as fees for their services.

In Judge De Bolt's court no money was forthcoming for jurors for services during last month. Whether the amounts are small or large seems immaterial, as far as the principle is concerned of the government paying its just debts. The money was not paid, I am told, because it saved the clerks so much trouble by making out a two months' pay roll in one paper, instead of furnishing to the Treasury two separate monthly statements, as it ought to be done. It may be a small matter, but it is just such small matter which injures the standing of a government, which surely could be and ought to be conducted on a strict business basis. Governor Carter says, that he stands for good government, and I believe him; and it is for that reason only, that I "rush" into print for the purpose of calling his attention to defects in one of the departments, which can easily be remedied by a few instructions and a little more appreciation of clerical discipline in one branch of territorial beneficiaries.

A. JUROR.

A BROKEN DOWN SYSTEM.

This is a condition (or disease) to which doctors give many names, but which few of them really understand. It is simply weakness—a break-down, as it were, of the vital forces that sustain the system. No matter what may be its causes (for they are almost numberless), its symptoms are much the same; the more prominent being sleeplessness, sense of prostration or weariness, depression of spirits and want of energy for all the ordinary affairs of life. Now, what alone is absolutely essential in all such cases is INCREASED VITALITY—vigour—VITAL STRENGTH AND ENERGY to throw off these morbid feelings, and experience proves that as night succeeds the day this may be more certainly secured by a course of the celebrated life-reviving tonic

THERAPION NO. 3

than by any other known combination. So surely as it is taken in accordance with the printed directions accompanying it, will the shattered health be restored, the EXPIRING LAMP OF LIFE LIGHTED UP AFRESH, and a new existence imparted in place of what had so lately seemed worn-out, "used up" and valueless. This wonderful medicament is purely vegetable and innocuous, is agreeable to the taste—suitable for all constitutions and conditions, in either sex; and it is difficult to imagine a case of disease or derangement, whose main features are those of debility, that will not be speedily and permanently benefited by this never-failing recuperative essence, which is destined to cast into oblivion everything that had preceded it for this widespread and numerous class of human ailments.

THERAPION

is sold by the principal Chemists throughout the world. Price in England, 2/9 and 4/6. Purchasers should see that the word "Therapion" appears on British Government Stamp (in white letters on a red ground) affixed to every package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

SOME LEGAL ENGINEERING

Night Session Episodes Happen In Parker Case Trial.

It looked like a demonstration in the drafting room of an airship factory, the work going on in Judge Gear's courtroom before the night session opened. J. A. Magoon was doubled over a piece of mechanism upon the floor which had the similitude of an aeroplane, being a framework of battens upon which the attorney was tacking great spreads of glazed stuff gaudy with colored tracings. The amateur artificer received and returned a deal of good-humored badinage. A bystander suggested to Mr. Ballou, the naval strategist, that the thing was a map of Manchuria showing the route the Baltic fleet was going to attempt to take overland. Big Ellis, the bailiff, with his accustomed bonhomie, meanwhile acted as assistant constructive engineer, but keeping an eye on the courtroom entrances.

"Gentlemen, the court!" He was the bailiff again as a Presence filled the law library doorway at 7:50.

"In the matter of the estate of Annie T. K. Parker," Judge Gear challenged from the bench.

"Ready, your Honor," Mr. Magoon lisped with a mouthful of tacks—"as soon as I get this map finished."

It was a map of the lands of the Parker ranch, 9 ft.x9 ft. in dimensions, which Attorney Magoon and Bailiff Ellis soon had erected upon the jury platform.

Eben P. Low was called to the witness stand, but before he had time to tell what he knew about the Parker ranch there was a sharp legal contest.

Mr. Kinney asked that the rule for the exclusion of witnesses be relaxed to allow F. W. Carter, manager of the Parker ranch, to be present. Owing to his position and the mixing of his name in the case, Mr. Carter's attendance on counsel for the respondent was very desirable. Counsel cited authorities to show that the request was in the discretion of the court to grant.

Mr. Magoon objected to the requested favor, saying it was on the other side's motion that the order excluding witnesses was made. He had been compelled, on account of the order, to put E. P. Low first on the stand and, when asked how, explained that it was so that when Low's testimony was given he might remain in court to coach the petitioner's counsel. When the respondent's case was reached, F. W. Carter might similarly be called first to secure the same end. He would insist on the rule. Mr. Kinney retorted that counsel were not insisting on anything—it was entirely in the hands of the court.

Judge Gear said he never believed much in the exclusion of witnesses. His experience had been that as good results were gained when witnesses were present as when they were excluded. In this case he could not see that any harm was likely to result from the presence of any witness whose attendance counsel desired. Finally, he granted the request and Manager Carter was called in and given a seat beside counsel for the respondent.

No exception was noted to the ruling. There was a good deal more said than what is above reported, but enough has been given to make the point decided clear.

Mr. Low's evidence began with the statement that his first acquaintance with the Parker ranch was when he lived upon the place from the age of five to the age of eight years.

REFRIGERATOR STUFF FOR MIDWAY

A steamer probably chartered in Honolulu, will be dispatched before Christmas to Midway Island with supplies for the cable colony and the detachment of United States marines stationed there. Six months' stores for the marines, including Christmas cheer of many sorts, will be forwarded by Captain Lyon, commandant of the Honolulu Naval Station. Any one having magazines and other reading matter to spare may send them to Captain Niblack who will forward them to Midway for the Marines.

The cable colony now has its cold storage plant working and has plenty of ice, but there is nothing to keep on the ice, except canned goods, etc. The chartered vessel will take an immense quantity of refrigerator supplies.

HAWAIIAN LODGE ELECTS OFFICERS

Hawaiian Lodge No. 21, held its election for officers to serve the ensuing term, with results as follows:

Worshipful Master, J. G. Rothwell; senior warden, Chas. S. Hall; junior warden, Robert Hair; treasurer, Robert Catton; secretary, K. R. G. Wallace. The board of trustees was reelected.

Hatch's Jaw Broken.

As a result of an abrupt contact with one of the H. A. C. team, Frank Hatch, captain of the Punahou football team, had his left jaw broken in Saturday's game. Hatch appeared yesterday morning for duty in the office of the Clerk of the Federal Court of which he is Deputy Clerk.

WILL OPEN NEW PARK

Hilo Prepares for Celebration New Year's Day.

HILO, December 2.—There is a plan on foot to have the new Mooheau Park opened with appropriate exercises on New Year's day. It is said that Admiral Beckley is willing to do his part, and might even be persuaded to deliver an oration upon the occasion. It is the idea to have a musical and literary program, and Leader Carvalho has composed a march for the occasion which the Admiral has taken to Honolulu to have published. This will be played for the first time at the opening of the park and is expected to cause a sensation, as it is one of the best compositions of Prof. Carvalho.

The trustees of the Hilo Parks request suggestions for artistically laying out the grounds at Mooheau and Rainbow Falls Parks. Sometime ago the government dispatched Landscape Gardener Young to Hilo for the purpose of laying out Mooheau and he did the best he could with it. He admitted that little could be done in the line of landscape gardening in that particular soil. The trustees of the parks will now take up the matter and see what can be done by home talent. Mr. Richards thinks that the park at Rainbow Falls presents unusual opportunities for embellishment and requests persons who have talent that way to submit either suggestions or designs to him or any other member of the Board of Trustees.

WANT THE ATTORNEY.

The Herald has this, editorially, "It is only in rare instances that Hilo has had so genial a representative of the attorney general's department as Attorney Lightfoot and never has Hilo had one it cared more to keep in Hilo for a few weeks. And this fact may be the reason for the deputy's anxiety to get away. It happens at every term of court when some one is sent here to represent the government there is always a desire shown by the representative to hurry through his business and get away. The convenience of the local attorneys is seldom considered though they feel that they are as much entitled to consideration as anyone else. In the selection of deputies the attorneys general's department might show a little feeling for this part of the Territory and send people here who will not be in too great a hurry to get away. To select a Hilo man to represent the Territory in criminal cases would be practically out of the question, for the reason that nearly all of the lawyers are interested."

LYMAN NOT A CANDIDATE.

As the time passes, says the Herald, the number of candidates for the postmastership in Hilo diminishes instead of increases. Charles Siemsen, it appears, has withdrawn upon the advice of his friends; Henry Lyman says he never has been a candidate, and Rufus Lyman says he wouldn't have the place under any circumstances.

I. E. Ray received a wireless from A. B. Loebenstein last week saying that he had everything fixed in Honolulu and all that was required was an endorsement of the executive committee of the district committee and from the Young Men's Republican Club. Even though Loebenstein had it fixed for Ray, the latter turned up his nose at the job and would not attempt to get the endorsements. At a meeting of the executive committee of the Board of Trade held last week all the names so far mentioned were discussed and an endorsement placed upon that of Norman Lyman. The executive committee of the district committee met last night and endorsed him, and a meeting was called of the executive committee of the Young Men's Republican Club for the same purpose and Mr. Lyman will receive the endorsement of that body.

It is thought that Lyman has the ability to fill the position and as his record in the sheriff's office is good the public has no hesitation in endorsing him. It is understood that the plum is to go to one who did good service in the campaign, all other things being equal, and as Mr. Lyman fills the requirements in every particular it is thought he will get the place. Following is a copy of a letter received from H. J. Lyman on Monday:

Kapoho, Hawaii, Nov. 26, 1904.
Editor Hawaii Herald:

Sir:—I am positively not a candidate for the position of Postmaster of Hilo Postoffice. You will kindly announce that fact in your paper of December 1st.

Yours truly,
HENRY J. LYMAN.

HILO BRIEFS.

When he takes charge at the Volcano House it is said that George Lycurgus will build a handsome club house at the crater and will run a line of automobiles from Hilo. It is said that the rates at the Volcano House will be reduced should Mr. Lycurgus take charge.

Lau Chan, the Chinese who pilfered hats from the Turner store and was sent to prison and afterward escaped, is again safely located behind the bars. It seems that last week Chan's brother called on the sheriff and stated that he could get Chan to return provided he was not prosecuted for escaping jail and asked the sheriff if he would consider the proposition. It was accepted and the man was brought in from Hamakua on Monday and locked up. It is said that Chan is an opium fiend and that he took French leave for the purpose of having a go at the poppy.

Mr. and Mrs. Furneaux are spending most of their time now at their country place in Olaa. Mr. Furneaux, who is doing much to encourage the coffee and banana planters, reports that both industries are progressing finely.

Announcement of the wedding of Frank L. Stanley, late with Hoffschlaeger & Co., Hilo, to Miss Helena Kathleen Chambers, of Portobello, Dublin, Ireland, have been received. The wedding took place on November 1 and was a social success.

Sealed tenders are asked for the construction of a one room school house and teacher's apartments at Kaauhuhu, North Kohala.

Ben Kuhn bought one of the ten acre tracts of government land near Waimea for $74.00 per acre. The other lot brought $55.00 per acre.

The Portuguese clubs, Social Lusitano and the Recreativo, united in celebrating the 264th anniversary of the restoration of the independence of Portugal by a dance at Serrao's Hall last night.

W. S. Terby purchased coffee in Kona and had it shipped to Hilo via Honolulu and reshipped it to the coast on the Enterprise so that it would reach its destination in two weeks after leaving Kona.

Rev. and Mrs. Walter Stewart will occupy the Nawahi cottage on School street. Rev. Stewart held services in the St. James Mission at the hotel on Sunday.

The case against Frank Jose, charged with larceny of money from Papaikou store, was not presented to the grand jury owing to lack of evidence for the prosecution.

Manuel Furtardo, the young Portuguese interpreter and clerk for LeBlond and Smith is seriously ill with blood poisoning. But little hope is felt for his recovery.

LOST UPON HALEAKALA

Startling Adventure of B. Griggs Holt. Items.

WAILUKU, Dec. 3.—B. Griggs Holt, U. S. Shipping Commissioner of Honolulu, had an experience among the craggy fastnesses of Haleakala on Wednesday night which will long remain with him as a vivid remembrance, the Maui News of today says.

In company with Robert Shingle and Pia Cockett, Mr. Holt ascended Haleakala last Wednesday, to enjoy the wonderful panorama displayed at the crater. By some means Mr. Holt became separated from his companions and soon lost himself in the a-a fields, on the journey downward. He heard them calling, but followed the echoes of their voices from distant hills and soon was completely lost. As night came on, finding himself unable to retrace his steps, he abandoned his horse, cached his saddle and bridle, and turned the animal loose, as it was unable to carry him through the a-a.

He spent the night on the bleak mountain side and on Thursday morning began the descent on foot reaching the beach in the vicinity of Kahikinui, tired, hungry, footsore and half naked.

In the meantime the alarm had been given, and experienced mountaineers from Ulupalakua and neighboring ranches turned out and began a search for him which terminated only when the telephone flashed the tidings that Mr. Holt had found himself.

VARIOUS ITEMS.

News from Hana came yesterday morning announcing the death of John Grunwald, a Hungarian, at the ripe age of 80 years. Mr. Grunwald has been at Hana for the past 25 years, and has been a resident of the Islands for 35 years. He has been quite feeble for the past few years

Puunene and Paia mills have both commenced grinding this season's crop and the Nevadan may be able to take some of this year's sugar on her return trip to San Francisco.

Judge Lindsay of the Lahaina district court is extremely severe on persons caught gaming and in almost all instances gives the offenders the limit of sentence prescribed by law.

Robert Anderson of Honolulu will be a passenger by next Wednesday's steamer to Nahiku, to investigate the proposition of rubber culture on East Maui.

Notwithstanding the baseball season ended in much of a fizzle, James Kirkland, manager of the Kahului store, has kept his promise of giving a handsome silver cup to the champions. It has been received from the Coast and goes to the Morning Star team.

An excellent musical and dramatic entertainment was given at the Alexander House Thursday evening, in which Mrs. T. B. Lyons, Miss Ayers, Mrs. Atherton, Mrs. W. L. Decoto, Waldemar Shaeffer, S. E. Kellinoi, W. W. Wescott and Geo. L. Keeney acted well their parts.

W. T. Robinson is going to build a first-class and sanitary general market building on his property whereon the present meat markets stands.

Was Much Interviewed.

Dr. Mori returned from the Mainland by the Manchuria. He had a very interesting visit, having spent three months in the States. Dr. Mori was approached by newspapermen in almost every city. All wanted his views about the war. His statements that he was a doctor and only from Honolulu were hardly credited. Japanese army and navy men have often traveled as civilians and the reporters thought that Dr. Mori was assuming a role in order to avoid being interviewed. The doctor was the most favorably impressed by the city of Boston, among all those he visited.—Hawaii Shinpo.

HONOLULU ELKS HOLD MEMORIAL CEREMONIES

Their Annual Lodge of Sorrow In Memory of Brothers Passed Beyond.

(From Monday's Advertiser)

"The faults of our brothers we should write upon the sand;
"Their virtues, on the tablets of love and memory."

"Sec. 130.—The first Sunday in December of each year is hereby designated, and dedicated, as a day on which shall be commemorated by every lodge of Elks in sacred session the memories of departed brothers, and shall be known as the 'Elks' Memorial Day,' and it shall be incumbent upon the Exalted Ruler of each subordinate lodge to require that the said memorial service shall be held upon the first said Sunday in December of each year, and upon no other day. The funeral services of a departed brother shall be known as a session of sorrow."

In honor of the memory of their dead, as is their law, the members of Honolulu Lodge No. 616, B. P. O. Elks, gathered at the Opera House yesterday afternoon for the beautiful service that it is written shall be held, annually, on the first Sunday in December.

But one member of the Honolulu lodge, Jacob Bearwald, died during the past year, and but seven have passed to the other side since the establishment of the order here, four years ago.

For the services yesterday, the decorations of the hall were simple, but most appropriate. Just a great white cross, outlined in incandescent lights, was placed at the center of the stage, facing the audience. On the stage were seated the officers of the lodge, and the body of the hall was crowded with ladies and their escorts, gathered to witness the ceremonies.

The program began with a dirge, "The Gate of Heaven," given by the Hawaiian band. Then, under the leadership of Exalted Ruler J. H. Fisher, assisted by Rev. A. Mackintosh, chaplain, and the officers of the local lodge, there was performed the ritual service of the Elks. As the service began the house was darkened, all but the lights about the cross, and out of the darkness the white emblem of eternity arose and shone as a symbol of that hope that is beyond the grave. During the service, Brother J. Hastings Howland sang the bass solo, "I will give you rest," and the ritual was followed by a prayer by Rev. A. Mackintosh.

Next was a vocal solo, "The Lord is My Light," by Mrs. C. B. Cooper, followed by a eulogy of the dead brother, pronounced by Brother J. A. Hughes.

The band played the "Miserere," Mrs. C. B. Cooper and Mr. Will Ellis singing the beautiful music from "Il Trovatore" behind the scenes.

Brother Hugo Herzer sang "O, Dry Those Tears," and then Brother A. B. Loebenstein, of Hilo Lodge, No. 759, was introduced as the orator of the day. He said, in part:

Once again are we assembled, brothers, while by us there flits another milestone of our order's existence, to commemorate, to cherish and to revere the memory of those brethren who have gone from our midst into the great beyond, and to consecrate and dedicate ourselves anew, to the principles and purposes of our order.

Like the traveler as he pauses for a while from his weary journey to gaze back upon the way he came, where menace and peril lifted their heads to beset him with every foot of his onward progress, with heartache and sorrow for companions, but undismayed on path with an unfaltering trust vanpath with an unfaltering trust vanquishing all danger, and now from cool resting place gravely contemplates the long and dreary pathway still stretching out before him with its yet unknown and unencountered perils, but sustained and soothed by the same unfaltering trust rises to pursue his way into the unknown beyond, so then may we, on this our day, we who are pilgrims along life's journey, who have shared joy and sorrow and borne our burdens, turn from the past, to contemplate the future, with that courage and confidence which is ours by right of our devotion and loyalty to the principles of our order, Charity, Justice, Brotherly Love and Fidelity.

This is a strenuous life of ours, and amid its hurry and bustle we have wandered far from the simple faiths, the lofty ideals of our fathers. We have bred and nourished and cultivated the gross, the materialistic, the selfish, the egotistical side of our natures. Not ours, the peaceful environment, the simple faiths, the spirit of mutual confidence and helpfulness between man and man. Far, far indeed have we wandered.

"Roll back thy universe, O God, and give me yesterday," is the cry that has resounded through the ages, but the yesterday comes not again, and only the morrow lies before us. Yet the shining orb of day traverses the blue dome of heaven to sink to rest each night beyond the purple flanks of yonder mountains, to rise but with greater splendor on the morrow, so then may envy and malice and wrong be extinguished, obliterated and buried deep out of sight, and forever disappear before the glorious and luminous beacons of Charity, Justice, Brotherly Love and Fidelity.

These are the principles to the furtherance of which we have dedicated our lives, that men may be better and nobler, in every way and by every means seeking to apply those tenets not alone to our own guidance, to the furtherance and maintenance of the highest type of manliness and character in our own fraternal relations, but to the betterment and ennoblement of all mankind.

Not ours the teachings of dogma or the promptings of ritual, the empty husk of pomp or form, the rhythmic peal of organ or the gifted tongue of eloquence, "In hoc signo vinces." By the love we bear our fellowmen, by virtue of our faith in the Universal Brotherhood of Man, by the exercise of that silent charity that will not recognize but forgets its own doings, by the mercy which is twin sister to justice, by fidelity to truth and honor, and as the needle is attracted unerringly to its pole so will man's recognition of those cardinal virtues fit him in time to that high estate which formed the purpose of his Creator.

Then is ours the all conquering faith, ours the heritage bequeathed to us by a noble ancestry, by the poets, the heroes, the martyrs of every age and every clime, whose songs, whose blood and whose tears pleaded for the universal brotherhood of man, that love of God is love of fellowman, and that Charity, Justice, Brotherly Love and Fidelity are but to do unto others as we would that others should do unto us.

Then come to us all ye weary and heavy laden, we care not who you are or whence you came, what you were or whither you go, whether yours the station of the richest, proudest or most powerful, or that of the poorest humblest or lowliest, be with us and of us, help us to sustain and to perpetuate those principles for which your fathers struggled and for which they gave their lives, those fundamental principles of liberty and justice, that helped build up step by step and cement together, pillar by pillar, that vast bulwark of man's protest to unreasoning tyranny and injustice, and inhumanity, the constitution of the United States, that imperishable monument to the ultimate Universal Brotherhood of Man, before which all men must in reverence bow.

And this is the goal to the attainment of which we have pledged and dedicated ourselves.

Perchance we may stumble by the wayside or it may be that forgotten for a while are the principles we should cherish, yet no mechanism of mere mortal is perfect as it leaves the maker's hands and those finer adjustments that eventually help constitute the perfect machine can only be effected after careful trials and tests, but by our faith will we conquer, by the power of numbers, by the force of noble example, by courage of conviction and devotion to duty. So need we not lose hope but confidently look forward to that glorious day when accomplished shall be the task of men's regeneration, when with us, among us and about us shall be exemplified in the highest degree, the principles of Charity, Justice, Brotherly Love and Fidelity.

And as we once more gaze upon the lonely way forever stumbling along so weakly along life's dreary pathway, yet "sustained and soothed by an unfaltering trust," until his form is hidden within the mists of an unknown beyond, what is our today but the yesterday of the morrow, and time the measure of all eternity, and coeternal the four great shining lights of Charity, Justice, Brotherly Love and Fidelity.

Mrs. J. Hartnagle sang "O, Divine Redeemer," the band played the prayer selection from "Tannhauser," and Rev. Mr. Mackintosh delivered the benediction, the Elks all arising at the conclusion of the service to sing the closing ode, as follows:

"We have finished our Labors, the Parting has come,
And each of our Brothers now goes to his home;
And our voices blending, we now will depart,
In perfect love, giving each note from the Heart.
Each duty accomplished, each Brother content,
Oh, thus may we ever our friendship cement;
May Charity, Justice and Brotherly Love
At last lead us all to the Grand Lodge above."

The memorial service was in charge of a committee consisting of Messrs. Frank E. Thompson, Jas. D. Dougherty, A. E. Murphy, J. J. Dunne and W. D. Adams.

The accompanist was Mrs. Gerard Barton, the violinist, Mrs. A. B. Ingalls and the organist, Mr. Gerard Barton.

The officers of the Honolulu elks are: J. H. Fisher, Exalted Ruler; Geo. H. Angus, Esteemed Leading Knight; H. E. Murray, Esteemed Loyal Knight; E. M. Watson, Esteemed Lecturing Knight; H. H. Simpson, Secretary; John A. Hughes, Treasurer; H. P. Roth, Esquire; Frank L. Winter, Inner Guard; Ed. E. Hartman, Tyler.

Trustees—Frank E. Thompson, A. E. Murphy, Frank E. Richardson; Chaplain, Rev. A. Mackintosh; Organist, Henry E. Berger.

NEW YEAR'S DAY FLORAL PARADE

The proposal to hold a floral parade on January 1, for all manner of vehicles other than automobiles, is being seriously considered by a number of people owning fashionable equipages. Since the recent success of the automobile fiesta the New Year's day floral parade as proposed is taking root. A committee may be organized the coming week to take charge of the affair.

LILIUOKALANI EN ROUTE

Ex-Queen Liliuokalani of Hawaii was among the passengers on the steamer Sonoma, which reached port yesterday. With her secretary and two companions, she is on her way to Washington, D. C., and expects to depart for the national capital tomorrow. In the meantime she is a guest at the St. Francis Hotel. It has become the custom of the former Queen of Hawaii to reside in Washington while Congress is in session and to employ her time while there in furthering her claims against the Federal Government for remuneration for the loss of the crown lands of Hawaii. She is hopeful that Congress at its coming session will make an appropriation to settle her claim.—Chronicle.



You go to your barber, week after week, hoping the shampoo will cure your dandruff. But the dandruff continues to form as badly as ever. The trouble is you do not go at it in the right way. The scalp is diseased, and you must cure it before your dandruff will ever disappear. Simple washing will never bring this about.

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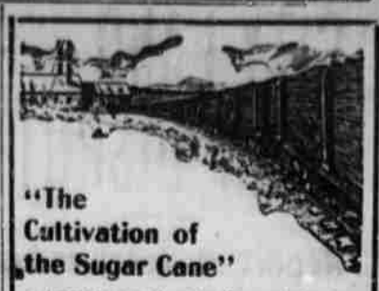
Convincing Proof

The Average Honolulu Citizen Must Accept the Following Proof.

The great Sir Isaac Newton, one of the most profound reasoners the world ever produced, once cut a large hole in a board fence to allow a favorite cat access to two gardens, and cut a smaller hole to allow her kitten to follow her. The weakness manifested in Sir Isaac's action was due to want of thought. Any reader who mentally debates the proof offered here about Doan's Backache Kidney Pills and arrives at any other conclusion than that stated in this citizen's statement, is as short of reasoning powers as the philosopher when he turned carpenter.

Mr. H. S. Swinton of this city says: "I was a long sufferer from backache, having been afflicted with it for twelve years. Taking this as a symptom of kidney trouble, and seeing Doan's Backache Kidney Pills advertised as being good for complaints such as mine, I procured some of them at the Hollister Drug Co.'s store. I found upon taking them that they were doing me good, and was thereby encouraged to keep on until now I am cured of the backache. The merits of Doan's Backache Kidney Pills have been strikingly shown in my case, and I recommend them to other sufferers."

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes $2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.



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(THE STANDARD AMMONIATE)

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HILO BOY WAS A SCHOOLSHIP STUDENT

In the collapse of the schoolship enterprise in which the steamship Pennsylvania played an important part recently at Newport, R. I., Richardson, a Hawaiian boy from Hilo, was more or less of a loser. The enterprise, which had been extensively advertised in the leading magazines for nearly a year, was one which called for $1250 as a fee for a student entering upon the course. This was payable in advance. In many cases those who paid the money over stand to be losers, as the assets are not large. Young Richardson was taken East by his sister, but has probably entered some other school.

In one unbroken nocturnal flight the European bird known as the Northern bluethroat has been proved to travel from Central Africa to the German ocean, a distance of 1,690 miles, making the journey in nine hours.

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REALTY TRANSACTIONS

Entered for Record Dec. 1, 1904.
...e Matia (w) to Kekula (w).....D
...t Am Sav & Tr Co of Hawaii Ltd ... W M Minton Par Rel
...r, Lansing & Co by Trs to W M ...nton Par Rel
... M Minton and wf to Sisters of ... Francis O M C.....D
...ers of St Francis O M C to First ...n Sav & Tr Co of Hawaii Ltd....M
...e K Hart to Eva Hart.....D
...pta A Gulick to Ellen A Kenway.D
...P Kahahawai.....Affdt
...P Kahahawai to George S Ken... y M
... Peacock to Est of L Way...Sur L
...die Q Helm to Jno P Kahaha... i Rel
... M Medeiros and wf to Henry ...hman D

R Kajita to H A Gerlach; CM; leasehold, cane crops, etc; $200. B 267, p 24. Dated Nov 14, 1904.

F E Clark to Antone V Coito; Rel; lot 11, blk 7, Kapiolani Tract, Honolulu, Oahu; $125. B 262, p 147. Dated Nov 8, 1904.

J Kelly to Cecil Brown Tr; M; lot 6, Middle St, Honolulu, Oahu; $200., B 262, p 148. Dated Nov 18, 1904.

Polly Kalua to Wailuku Sugar Co; AL; por R P 6067, Kul 3530, Maniania, Wailuku, Maui; $1. B 263, p 165. Dated Nov 17, 1904.

Ida B Castle by atty to John S Vierra; L; Ap 4, R P 3500, Kul 3178, Kalihi, Honolulu, Oahu; 10 yrs @ $20 per yr. B 263, p 165. Dated Nov 12, 1904.

Dora E Paris and hsb (G H) to Robert W Shingle; D; lot 9, blk 8, McCully Tract, Honolulu, Oahu; $600. B 264, p 194. Dated Nov 9, 1904.

W J Lowrie and wf by atty to Mary Dunas (widow); D; R Ps 727, 6293, 4096, 1-3 int in R P 4807 and 9-80 int in R P 6268, Halaula, etc, Wailuku, Maui; $3000. B 264, p 195. Dated Nov 21, 1904.

Olaa Sugar Co Ltd to A G Curtis; Agrmt; in re harvesting and delivery of cane on lands of cane planters into flume, etc, to the mill, Olaa, Puna, Hawaii; $1. B 265, p 288. Dated Mar 1, 1904.

S Kaholoiliili et al to Olaa Sugar Co Ltd; CM; cane, etc, on lot 20, Olaa Homestead Tract, Puna, Hawaii; $1 and advances. B 262, p 149. Dated Oct 2, 1904.

Hidane Utakichi et al to Olaa Sugar Co Ltd; CM; cane, etc, on por lot 50, Olaa Homestead Tract, Puna, Hawaii; $1 and advances. B 262, p 155. Dated April 15, 1904.

R Kajita et al to Olaa Sugar Co Ltd; CM; cane, etc, on por lot 45, Olaa Homestead Tract, Puna, Hawaii; $1 and advances. B 262, p 160. Dated Nov 10, 1904.

W W Chamberlain to H A Baldwin; D; Gr 144, Pauwela, Hamakualoa, Maui; $1000. B 264, p 197. Dated Nov 9, 1904.

T Awana to Maui Agrctl Co by Tr; L; 30 ft R W for water flume, etc, across hui land Ulumalu, Hamakualoa, Maui; 45 yrs @ $25 per yr. B 263, p 166. Dated Nov 12, 1904.

Recorded Nov. 22, 1904.

Queen's Hospital to McCully Land Co Ltd; Par Rel; lot 9, blk 3, McCully Tract, Honolulu, Oahu; $500. B 267, p 31.

McCully Land Co Ltd to Fred Harrison; D; lot 9, blk 3, McCully Tract, Honolulu, Oahu; $1000. B 264, p 198. Dated Oct 11, 1904.

Jose G Henriques to John Gaspar; Agrmt; in re exact lines, metes and boundaries of Gr 975 and pcs land, Kalamakumu, S Kona, Hawaii. B 265, p 290. Dated Nov 12, 1904.

George Mumby to Peter C Beamer; AM; mtg J J Duintjer on lot 3, Olaa Homestead Resrvtn, Puna, Hawaii; $1536. B 267, p 32. Dated Nov 17, 1904.

Kailioha (k) to Kaahu Hookano (w); D; Gr 3151 and R P 7622, bldg, horse, 3 asses, tools, etc, Hiona-a, etc, Kau, Hawaii; $5, etc. B 266, p 10. Dated Oct 13, 1904.

Joseph G Pregil to Mary Aholo and hsb; Rel; S E half R P 3469, Kul 87FL, Kapalama, Honolulu, Oahu; $400. B 226, p 424. Dated June 17, 1904.

Mary Aholo and hsb (J L) to J K Hekekia; M; por R P 3469, Kul 87FL, Kapalama, Honolulu, Oahu; $455. B 267, p 33. Dated Nov 22, 1904.

Joan C Castella to Laupahoehoe Sugar Co; Agrmt; in re cultivation of sugar cane, etc, on lot 44, Maulua Tract, N Hilo, Hawaii. B 265, p 292. Dated Nov 9, 1904.

Joan C Castella to Laupahoehoe Sugar Co; Agrmt; to sell for $370 int in 1-10 share of sugar cane grown on 14 80-100 A of lot 44, Maulua Tract, N Hilo, Hawaii. B 265, p 294. Dated Nov 9, 1904.

Emily Haa and hsb (H E) to W E Rowell; D; R P 7108, Kul 9170, Wainiha, Halelea, Kauai; $200. B 264, p 199. Dated Nov 16, 1904.

Entered for Record Dec. 2, 1904.

Victorino Ventura and wf to J. W. Fleming M
K Togo to G Masuda.....AL
S M Damon and wf to United States of America D
T Mito to Mrs H K Meemano.....BS
Pelelilili to Hawn Agricultural Co....L
Wailuku Sugar Co to C Brewer & Co Ltd D
Gear, Lansing & Co by Trs to W M Minton Par Rel

Recorded Nov. 22, 1904.

Emma A Nawahi (widow) et als to Onomea Sugar Co; M; 24-100 A land, Front St, Hilo, Hawaii; $720. B 267, p 36. Dated Nov 22, 1904.

D D Baldwin to Haiku Fruit & Packing Co Ltd; L; 50 A land, Makawao, Maui; 30 yrs: 2 yrs @ $150 per yr, 28 yrs @ $250 per yr. B 273, p 11. Dated Nov 7, 1904.

Recorded Nov. 23, 1904.

Henry Van Gieson Tr to Lucy Kamau; D; lot 26, blk 11, Kewalo Tract, Honolulu, Oahu; $25. B 264, p 200. Dated Nov 23, 1904.

A Wiggins to Hattie Bannister; Rel; lots 20 and 21, cor Leilani and Fernandez Sts, Honolulu, Oahu; $700. B 232, p 246. Dated Mar 28, 1904.

Hattie Bannister and hsb (A T) to Henry Waterhouse Tr Co Ltd; M; lots 20 and 21 and bldgs, cor Leilani and Fernandez Sts, Honolulu, Oahu; $800. B 267, p 38. Dated Nov 23, 1904.

Healani Yacht & Boat Club to Bank of Hawaii Ltd; CM; leasehold, bldgs, boats, yachts, barges, racing shells, etc; $1000. B 267, p 40. Dated Nov 23, 1904.

J B Atherton to Wahiawa Water Co Ltd; L; int in por Gr 605, pors Gr 606, and right to excavate dams, reservoir, etc, Wahiawa, Waialua, Oahu; till Sept 6, 1950; $1. B 263, p 168. Dated Mar 6, 1903.

Hawn Fruit & Plant Co Ltd to Wahiawa Water Co Ltd; D; por lots 2 and 1A, water rights, etc, Wahiawa Colony Tract, Waialua, Oahu; $1. B 261, p 479. Dated Feb 23, 1904.

Recorded Nov. 25, 1904.

Honolulu Grocery Co; Co-P D; grocery, etc, cor Punchbowl and Pauoa Sts, Honolulu, Oahu; cap stock, $840, 5 yrs. B 265, p 295. Dated July 30, 1904.

John W Thompson by Regr; Notice; of decree of title in Land Reg Court case No 9. B 265, p 300. Dated Nov 25, 1904.

John N Makaiwa by Regr; Notice; of decree of title in Land Reg Court case No. 22. B 265, p 306. Dated Nov 25, 1904.

COMMERCIAL NEWS
BY DANIEL LOGAN.

One cent a pound advance on present quotations of raw sugar is the prediction made by Willett & Gray, the New York experts, under date of November 1st. With the arrival of this cheerful forecast by mail its part confirmation arrives by cable in news of a fresh advance in European beet sugar. The authority just quoted anticipates, upon the basis of statistics given, that high prices will rule for two years at least. It is shown that the world's consumption for the campaign of 1903-04 was 10,895,238 tons, an increase of 10 per cent., and if the same percentage of increase is applied to the ensuing year there will be required for consumption 11,984,761 tons, while the estimated total supply is only 11,323,605 tons, or a minus of 660,000 tons. Willett & Gray mildly doubt if there can be such an increase in production next campaign (1905-06) as to give an adequate supply and cause a reaction in prices to anything like the recent level of values. They say a heavy increase in cane production is not to be expected, and a million tons more beet will all be wanted.

LOCAL STOCK MARKET.

Recorded transactions of the Honolulu Stock and Bond Exchange for the past week have been as follows: Pioneer Mill Co. (par $100), 20 shares at $122.50, and 25 at $123.50; Kihei Plantation Co. (par $50), 10 shares at $12.12½, 50, 12 and 60 respectively at $12; Hawaiian Sugar Co. (par $20), 5 shares at $32; Mutual Telephone Co. (par $10), 700 shares at $9; Olaa Sugar Co. (par $20), 200 shares at $5; Ewa Plantation Co. (par $20), 15 shares at $25.50; Hawaiian Commercial & Sugar Co. (par $100), 150 shares at $74; $3000 Paia, $3000 Haiku and $24,000 Hawaiian Sugar Co. bonds, all 6 per cent., at par.

November sales were as follows: 1576 Ewa at from $23.50 to $25; 50 Hawaiian Agricultural Co., $100; 385 Haw. Com. & Sugar Co., $66 to $74; 89 Hawaiian Sugar Co., $27.50 to $32; 105 Honomu, $125 to $135; 20 Honokaa, $16; 15 Kahuku, $20; 1514 Kihei, $8 to $12.12½; 2686 McBryde, $3.75 to $5; 489 Oahu, $87.50 to $100.50; 42 Ookala, $5; 220 Olaa, $3.75; 150 Pioneer, $120 to $123.50; 424 Waialua, $50 to $62.50; 5 Wilder's S. S. Co., $100; 25 Inter-Island S. N. Co., $100; 15 Hon. R. T. & L. Co., Com., $65; 700 Mutual Telephone Co., $9; $10,000 Haw. Govt. 5 per cent. bonds, $100; $4,000 Haiku Sugar Co. 6 per cent. bonds, $100; $26,000 Haw. Sugar Co. 6 per cent. bonds, $100; $2,000 Hon. R. T. & L. Co. 6 per cent. bonds, $105; $1,000 O. R. & L. Co. 6 per cent. bonds, $104.50; $5,000 Paia Plan. Co. 6 per cent. bonds, $100; $2,000 Pioneer Mill Co. 6 per cent. bonds, $100.

Dividends announced on the last of the month were the following: C. Brewer & Co., 2 per cent.; Ewa Plantation, 1½ per cent.; Waimanalo, 1 per cent.; Haiku, 1 per cent.; Paia, 1 per cent.; Hawn. Electric Co., ½ per cent.; Inter-Island S. N. Co., 1 per cent.; Honomu, 2 per cent.; Wailuku, 1½ per cent.; Onomea (S. F., Dec. 5), 1 per cent.; Honokaa, ½ per cent.; Pioneer, 1 per cent.

Although sales the past week have been few, the market was very strong throughout. Besides those recorded, however, there were some heavy deals that did not go upon the list. Waialua made a strong advance and Honomu gathered strength apace. The Hamakua plantations in general are rising in the scale, both here and in San Francisco. A remark made here last week has turned out to have been prophetic, through the sale of a 200-share block of Olaa at $5, an advance of one dollar. Stocks reported last week as going up generally remained stationary, wholly because there were not offerings of them to affect the dial. Lists received from San Francisco by mail show that the prices of Hawaiian stocks as cabled have at times been under-quoted. Though the operators over there are well supplied, they are evidently playing to get their hands on Honolulu holdings of the rising schedule.

The latest sugar quotation in New York is 4.65 cents. It would not be surprising to see five-cent sugar before New Year's. Many of the Hawaiian mills have started grinding on the new crop, some of which is already afloat. Hawaiian Sugar Co. has declared a one per cent. monthly dividend.

GENERAL NOTES.

Although it is but three weeks to Christmas, most of the signs of holiday trade as yet appearing consist of dressed windows and displayed advertisements. There is a strong impression abroad that interest in holiday shopping is very much arrested by a multiplicity of church and charity fairs. And the procession of these events has not yet passed. Perhaps, however, there will be at least two weeks of real lively times in the stores before the great festival.

A sale of 25.38 acres of kula land at Puuwaawaa, advertised at an upset price of $507.60, was postponed for one week by Land Commissioner Pratt yesterday, owing to delay in the arrival of the steamer Kinau with essential papers.—Jas. F. Morgan yesterday sold at auction under foreclosure a piece of land containing 10,000 square feet at Puunui, a pleasant situation at the end of the Liliha street car line, for $430 to the Hawaiian Trust Co. He also sold 190 shares of Inter-Island Telegraph Co. (Wireless) stock at $1.50 a share, Honolulu Iron Works Co. being the purchaser.—A hitch has occurred in the closing of the purchase by the U. S. War Department of lands at Puuloa, at the entrance to Pearl Harbor, through the holding out of the Dowsett Co. for $6000 advance on the $74,000 offered. Condemnation proceedings may ensue. The purchase of the Waialae lands has been concluded.—A lease of 50 acres of land on Maui to the Haiku Fruit & Packing Co., for 29 years at $150 a year, just recorded is an item in the development of diversified industries.—The Governor has under consideration, with some favor, a proposition of J. J. Williams to established a Hawaiian village of the old style near Honolulu for the pleasure of tourists.—A forest reserve in Hamakua district proposed by Forester Ralph S. Hosmer has been recommended to the Governor for proclamation by the Board of Forestry and Agriculture.—An application is on file to market the mature koa lumber on the island of Hawaii.

A contract is pending on opened bids for a three-arch concrete bridge, to cost about $8000, over the Kalihi stream on the extension of School street.—The drainage sewer system proved its high value in the heavy rainstorm a week ago.—A Chicago traveling man who passed through the other day informed the mercantile community that Honolulu is being discriminated against, as compared with rates given to Oriental trade, by railroad and steamship companies. The long and short haul controversy that raged on the mainland some years ago may now have to be revived with regard to Pacific Ocean traffic. It would seem to be a matter for our merchants to make strong representations about to the Department of Labor and Commerce, Washington.—Instant opposition of the Honolulu Merchants' Association to the proposal of a local firm to introduce the trading stamp system has caused its abandonment.

The Japanese in Hawaii are boycotting Hawaiian rice at $2.50 a bag, out of patriotic preference for Japan-grown rice at $4 a bag.—The Tax Appeal Court has decided against the claim of Hawaiian Agricultural Co. for losses on sugar cane through the leaf-hopper's ravages. It has allowed H. Hackfeld & Co., Ltd., a deduction of $150,000 on income assessment for loss as a bad debt owing by Hawaii Mill Co. (the disastrous venture of Portuguese in cane planting at Hilo).—P. C. Jones advocates U. S. mail boxes on street cars as a desirable public convenience.—A mortgage by the Healani Yacht & Boat Club on its buildings, flotilla of boats, etc., to the Bank of Hawaii has been recorded.—Fred. J. Church, who has for some time successfully run the Haleiwa hotel, has assumed the management of the Royal Hawaiian hotel.—Following the mention here last week of the trial runs of the Honolulu Plantation Co.'s refinery, the notable event occurred on Wednesday of the first shipment hence ever made of sugars refined in the Hawaiian Islands. Samples of all grades excepting cube, for which the plant is not yet ready, were sent to San Francisco. It is declared to be sugar of quality that cannot be surpassed elsewhere.

A PROMINENT PUBLISHER ENDORSES CHAMBERLAIN'S COUGH REMEDY.

Mr. Leon C. Streeter, proprietor of the Worcester, Cape Colony, Standard, says: "For the past seven years, or since we have been in South Africa, Chamberlain's Cough Remedy has always been kept in our household. My wife has found it to be invaluable with the children and croupy symptoms have disappeared with astonishing but pleasing rapidity under its influence." For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

Japanese-Germans.

Two of the young cadets on the German training ship Herzogin Sophie Charlotte were born in Japan. They are Wilhelm Fisca and Carl Lehman, whose mothers were Japanese women. Both are about 18 years of age and left Japan when six years old, to be educated in "the Fatherland." They are German subjects, of course, but naturally have an interest in the land of their birth. Hawaii Shinpo received a call from them and we were happy to make their acquaintance and offer some Honolulu entertainment.—Hawaii Shinpo.

BAD COMPLEXIONS
Dry Thin and Falling Hair and Red Rough Hands Prevented by
CUTICURA SOAP.

MILLIONS use CUTICURA SOAP exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes, for ulcerative weaknesses, and for many sanative antiseptic purposes which readily suggest themselves to women, and especially to mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odours. No other *medicated* soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic *toilet* soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in ONE SOAP at ONE PRICE, the BEST skin and complexion soap, the BEST toilet and BEST baby soap in the world.

Complete External and Internal Treatment for Every Humour, Consisting of CUTICURA SOAP, to cleanse the skin and scalp of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. Sold throughout the world. Australian Depot: R. TOWNS & CO., Sydney, N.S.W. So. African Depot: LENNON LTD., Cape Town. "How to have Beautiful Skin, Hair, and Hands," free. POTTER CORP., Boston, U. S. A., Sole Props., CUTICURA REMEDIES.

DR. J. COLLIS BROWNE'S
CHLORODYNE.
ORIGINAL AND ONLY GENUINE.
ORIGINAL AND ONLY GENUINE
Each Bottle of this well-known Remedy for
Coughs, Colds, Asthma, Bronchitis, Neuralgia, Toothache, Diarrhœa, Spasms, etc.,
bears on the Government Stamp the name of the Inventor
DR. J. COLLIS BROWNE.
Numerous Testimonials from Eminent Physicians accompany each bottle.
Sold in Bottles, 1/1½, 2/9, 4/6, by all Chemists
Sole Manufacturers, J T. Davenport, Limited, London.

MOST POPULAR PUBLICATION IN HONOLULU
THE SUNDAY ADVERTISER
WAR NEWS, CHURCH NEWS, SPORTING NEWS, GENERAL NEWS AND ALL THE LATEST WORLD'S NEWS BY CABLE.
MISCELLANEOUS, LITERARY AND HUMOROUS SELECTIONS, PUNGENT PARAGRAPHS OF THE BYSTANDER.
INTERESTING READING TO SUIT EVERY TASTE, AND WITHAL, A CLEAN PUBLICATION ADMISSABLE TO THE FAMILY CIRCLE.
Published by the
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Limited.
65 S. King St., Honolulu, Hawaii.



ARRIVED.

Friday, Dec. 2.

Stmr. Mauna Loa, Simerson, from Kona and Kau ports, 5:40 a. m.

S. S. Rosecrans, Johnson, from Monterey, 8 a. m.

Schr. C. L. Woodbury, Harris, from Hilo, 6 a. m.

S. S. Coptic, Beadnell, from San Francisco.

Sunday, Dec. 4.

Stmr. W. G. Hall, Thompson, from Kauai ports, 2:35 a. m.

Stmr. Kauai, Pederson, from Hawaii ports, 9:20 a. m.

Stmr. Likelike, Naopala, from Maui Ports, daylight.

Saturday, Dec. 3.

Stmr. Noeau, Tullett, from Kauai ports, 10 a. m.

Stmr. Kinau, Freeman, from Hilo and way ports, 2 p. m.

Stmr. Kaiulani, Bennett, from Maui and Molokai ports, 5 p. m.

Monday, Dec. 5.

Stmr. Likelike, Naopala, for Maui and Molokai ports, at 5 p. m.

Stmr. Niihau, W. Thompson, for Anahola at 5 p. m.

Stmr. Noeau, Tullett, for Kapaa, Kilauea, Hanalei and Kalihiwai at 5 p. m.

Stmr. Ka Moi, for Honoipu and Kohalalele at 3 p. m.

PASSENGERS.

Arrived.

Per stmr. Mauna Loa, December 2, from Kona ports—M. F. Scott, T. Shibayama, Dr. P. F. Frear, F. Bucholtz, Mrs. Nokato, Ah Yuen, wife and child, Miss Ida Yowell, Miss Low, Mrs. C. J. Robinson, Mrs. W. A. Wall and child, J. W. Smith; from Maui ports, W. M. Mahoe, Rev. John Kekipi, Rev. S. Panui, Young In, Mrs. Mary Green Mrs. J. C. Lorensen and 73 deck.

Per stmr. W. G. Hall, Dec. 4, from Kauai—P. R. Isenberg, Mrs. S. Kaeo, Y. Shido, H. G. Ramsay, P. A. Wilson, S. B. Dole, T. H. Gibson, Mrs. S. Rose, Joe Kaena, E. R. Adams, Mrs. E. McCorriston, A. De Lacy and 21 deck.

Per stmr. Likelike, Dec. 4, from Maui ports—Miss A. Dunn, Mrs. F. S. Dunn and 4 children, A. L. Gage, J. J. Corell, A. S. Prescott, A. Voss, E. F. Rogers, J. H. Wilson, C. Mitchell, J. Rodriques, Hasegawa, S. Kojima, L. Rodriques, Miss C. Sheffield, Miss Gay, C. W. Ashford, R. W. Shingle, Dr. J. H. Raymond, Mrs. H. Fugimoto, Rev. E. Tokimasa.

Per stmr. Kauai, Dec. 4, from Kukuihaele—Mrs. E. Neals and 1 deck

Per stmr. Kaiulani, Dec. 3, from Maui and Molokai ports.—George P. Thielen, W. B. Maling, Mrs. Dan McCorriston, Lon Tong.

Per stmr. Kinau, Dec. 3, from Hilo and way ports.—W. H. Alley and wife, Miss A. Knight, Mrs. E. J. Post, Geo. W. Clyde, C. M. Brown, Hugo E. Bremer, W. J. Dyer, Cecil Brown, H. L. Ross, A. W. T. Bottomley, W. R. Jamieson, W. H. Smith and wife, Dr. A. B. Clarke and wife, R. Kennedy, Mrs. Hawkhurst, A. Q. Marcallino, Miss F. Hons, Dr. Nildate, Mrs. A. B. Loebenstein, H. Crawford, Mrs. Kau Let Mew, H. C. Akina, Mrs. E. A. Fraser, F. W. Carter, John Lindsay, B. H. Holt, W. Pfotenhauer, F. M. Bechtel, F. C. Atherton and wife.

Departed.

Per stmr. Likelike, December 5, for Kaunakakai—A. W. Carter, J. M. Dowsett, E. H. Wodehouse, H. M. Whitney, P. Lishman, E. Paris, A. F. Judd, S. G. Wilder, E. R. Adams, William Mutch.

DUE TODAY.

S. S. Ventura, Hayward, from Sydney, Auckland and Pago Pago, due in morning.

DUE WEDNESDAY.

S. S. Sonoma, Herriman, from San Francisco, due in morning.

DUE THURSDAY.

U. S. A. T. Logan from San Francisco.

DUE FRIDAY.

S. S. Mongolia, Porter, from the Orient, due in morning.

S. S. Korea, Seabury, from San Francisco, due in morning.

DUE SATURDAY.

Stmr. Niihau, W. Thompson, from Ahukini at 10 p. m.

Stmr. Kinau, Freeman, from Hilo and way ports.

DUE SUNDAY.

Stmr. Kauai, Pederson, from Kukuihaele at 9:20 a. m.

Stmr. W. G. Hall, S. Thompson, from Kauai ports at 2:35 a. m.

Schr. Lady, from Koolau ports at 11 a. m.

SAIL TODAY.

Schr. Lady, for Koolau ports at noon.

Schr. Kawailani, Ulunahele, for Koolau ports at 5 p. m.

Schr. Charles Levi Woodbury, Harris for Hilo at 5 p. m.

Stmr. Kauai, Pederson, for Lahaina, Kaanapali, Honokaa and Kukuihaele at 5 p. m.

S. S. Ventura, Hayward, for San Francisco, probably sail in afternoon.

Stmr. Kinau, Freeman, for Hilo and way ports at noon.

Stmr. Mauna Loa Simerson, for Lahaina, Maalaea, Kona and Kau ports at noon.

Stmr. Claudine, Parker, for Maui ports at 5 p. m.

Stmr. W. G. Hall, S. Thompson, for Kauai ports at 5 p. m.

SAIL TOMORROW.

S. S. Sonoma, Herriman, for Pago Pago, Auckland and Sydney, probably sail in evening.

SAIL FRIDAY.

S. S. Korea, Seabury, for the Orient, probably sail in afternoon.

SAIL SATURDAY.

S. S. Mongolia, Porter, for San Francisco, probably sail in forenoon.

Booked to Depart.

Per S. S. Ventura, December 6, for San Francisco—H. Hill, Archie L. Gage, A. H. Moffitt, H. L. Ross, Thomas Sanders, James W. Pratt, S. Kawamura, J. L. Carter, wife and child, K. Nishida and wife, Frank Taylor, Mrs. H. Voss, M. F. Sanders, Elder S. L. Fish, C. O. Saunders.

Per S. S. Sonoma, December 7, for Pago Pago and Sydney—W. H. Alley and wife, G. W. Clyde, E. M. Brown, Mrs. H. Friedler.

SEAS TORE UP SOME LANDINGS

Purser Willburton of the steamer Kauai reports that the woodwork at the Kukuihaele landing was carried away during the northerly gale which blew on November 25. The vessel was unable to work its cargo at Huelo on November 22. Last Saturday it became very rough again at Kukuihaele.

Purser Friel of the W. G. Hall reports that the steamer Mikahala could not work her freight on Friday while at Waimea on account of the rough seas. At Koloa and Eleele the swells were breaking over the landing. The Hall was unable to work out her freight for a day or two.

Purser Friel also reports that McBryde plantation on Kauai starts to grind cane tomorrow. Koloa begins grinding yesterday.

The little schooner Kawailani lost her jib-boom in a squall off Mokapuu Point last Saturday while en route to Honolulu from Koolau ports.

NAVAL SEA-WALL IS STRENGTHENED

Certain sections of the sea wall at the Naval Station slips have been gradually giving away, and the station authorities, under the direction of Captain Niblack, are at work strengthening the whole wall. Just at the Waikiki side of Naval Dock No. 2 the underrubble gave way leaving only the cement wall above, the tide washing in and out at pleasure. The pile-driver was brought into requisition yesterday and three inch planks, iron-shod at one end were driven down into the mud and coral just outside the sea-wall. The space on the street side will be dug out and bags of cement and sand thrown in.

It is the intention of the captain of the yard to also run pipes from the street so that surface water may be drained off.

IROQUOIS LOSES OLD SMOKESTACK

After having been thirteen years away from the Union Iron Works of San Francisco where she was built, and six years from the Mare Island Navy Yard, the U. S. S. Iroquois, station ship of the Honolulu Naval Station, is about to glory in a new smokestack. The old one has seen hard service, and had at least sixteen holes. In fact it was liable to topple over in a heavy sea and do damage to the trim little vessel. Yesterday the contractors, Catton, Neill & Co., rigged a derrick and lifted out the old one.

Nevadan Comes Direct.

The American-Hawaiian S. S. Co. gives notice that the steamer Nevadan will sail from San Francisco for Honolulu direct on December 13.

Shipping Notes.

SAN FRANCISCO, December 5.—The barkentine Makaweli reported lost off coast of Vancouver, has arrived at Mazatlan.

F. L. Gibson, pharmacist and accountant of the Marine Hospital Service here, will leave on the Sheridan to spend a vacation on the mainland.

Authority has been received from Washington by Dr. Cofer to purchase from $800 to $900 worth of paint to paint the Quarantine Island buildings.

It is said that Captain Curtis of the ship W. H. Marston has been given command of the Pacific Coast steamship Barracuda, and that Capt. Gove of the ship Fort George will be master of the Marston.

The Mails

Mails are due from the following points as follows:

San Francisco—Per Sonoma, Dec. 7.
Colonies—Per Ventura, Dec. 6.
Yokohama—Per Mongolia, Dec. 9.
Victoria—Per Moana, Dec. 17.

Mails will depart as follows:

Yokohama—Per Korea, Dec. 13.
San Francisco—Per Ventura, Dec. 6.
Colonies—Per Sonoma, Dec. 7.
Victoria—Per Aorangi, Dec. 14.

VESSELS IN PORT.

ARMY AND NAVY.

U. S. S. Iroquois, Niblack, Station vessel.

MERCHANT VESSELS.

Coronado, Am. bkt., Potter, San Francisco, Nov. 23.
Erskine M. Phelps, Am. sp., Graham, Philadelphia, Aug. 31.
Kaiulani, Am. bk., Holly, San Francisco, Nov. 14.
Mary E. Foster, Am. schr., Willer, Port Gamble, Dec. 1.

INFLUENZA

Can be cured by commencing at the first symptoms to use Chamberlain's Cough Remedy. Thousands have used this remedy during the past year, and we have to learn of a single case where they were not pleased. For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

THE FUNDAMENTAL LAW OF HAWAII: A NEW LAW BOOK

Edited and Indexed By Lorrin A. Thurston and Published By the Hawaiian Gazette Company, Ltd.

The Hawaiian Gazette Company, Ltd., announce the publication of a book, edited and indexed by Lorrin A. Thurston, containing the several constitutions and other fundamental laws of earlier days, the annexation treaty, resolutions and procedure and the Organic Act.

The book contains 298 pages of text and 138 pages of index. It is printed in regulation law book type and style and is substantially bound in calf skin.

The price is $5.

The scope and character of the book and the reasons for its publication are given in the preface, which is as follows:

PREFACE TO THE FUNDAMENTAL LAW OF HAWAII.

Congress has expressly enacted a law organizing Hawaii into a Territory, and extended the provisions of the United States Constitution to the Territory.

In a restricted sense, therefore, the United States Constitution and the Organic Act constitute Hawaii's fundamental law; but the Organic Act specifically re-enacts the great body of pre-existing Hawaiian statute law, which was based upon the several Hawaiian Constitutions and organic laws.

A large proportion of the law governing real estate, property and personal rights in Hawaii being based upon these early constitutions and laws; and precedents, decisions and court practice having grown out of them, it is necessary to consult them in order to have a comprehensive understanding of existing Hawaiian law. They are nearly all published, however, in books now out of print, and in scattered volumes, inaccessible to many, and inconveniently located for all. In fact, not even practicing lawyers in Hawaii can, except at considerable loss of time, place their hands on the laws and constitutions necessary for the study and decision of practical questions continually being presented to them.

Under these circumstances it is believed that the public interest requires the re-publication in convenient reference form of what may be called "the fundamental law of Hawaii." To meet this requirement the following constitutions, laws and documents have been compiled under the common title of "The Fundamental Law of Hawaii," viz.:

1. The first Constitution of Kamehameha III, 1840, including the previously issued Bill of Rights.
2. The first laws of Hawaii, enacted under Kamehameha III, (1833-1842), published together in 1842.
3. The law creating and principles guiding the Land Commission.
4. The second Constitution of Kamehameha III, 1852.
5. The Constitution of Kamehameha V, 1864.
6. The Constitution of Kalakaua, 1887.
7. The Proclamation and orders incident to the establishment of the Provisional Government, 1893.
8. The Constitution of the Republic of Hawaii, 1894.
9. The treaty amexing Hawaii to the United States, 1897.
10. The Resolution of the Hawaiian Senate ratifying the annexation treaty, 1897.
11. The Joint Resolution of Congress annexing Hawaii, 1898.
12. The documents and procedure incident to the transfer of the sovereignty and possession of Hawaii to the United States, 1898; and the executive orders of President McKinley, relating to the government of Hawaii, issued during the transition period between the date of annexation and the passage of the Organic Act, 1898-1900.
13. The Act of Congress organizing Hawaii into a Territory, 1900.

The laws of 1842 are not "fundamental" in the sense that the constitutions and other laws and documents are; but they have been included herein for the reason that they were not only the first written laws of Hawaii, but embodied many of the pre-existing laws and customs of the country and therefore throw a strong light upon the origin and development of much of the present law.

Only a few of the laws, constitutions and documents re-published, have ever been indexed. A full index of all of them is included herein. Instead of one general index, each is indexed separately. The reason for such treatment is that reference will usually be desired to a given subject in some one law or constitution. The subject sought will be much easier found in the short index of the particular law, than it would have been in a necessarily long index of the whole.

The table of contents gives the page of each constitution and law and of its index.

BUSY WEEK WITH PASSENGER BOATS

The Oceanic steamship Ventura is due today from the Colonies and will be dispatched this afternoon for San Francisco. A fair-sized passenger list is already booked.

The Oceanic steamship Sonoma is due from San Francisco on Wednesday en route to the Colonies.

Hackfeld & Co. expect the Mongolia from the Orient on Friday morning and will dispatch her for San Francisco on Saturday forenoon.

The Pacific Mail steamship Korea is due here from San Francisco on Friday morning.

The A.-H. steamship Nevadan leaves San Francisco for Honolulu on December 13.

Adachi Sentenced.

Saburo Adachi, who was brought back from Japan by Marshal Hendry under extradition for perjury and who pleaded guilty of conspiracy, was for the latter offence sentenced by Judge Dole yesterday to imprisonment for one year.

COURT NOTICES

HACKFELD VS. P. E. LAMAR.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM, 1904.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff, vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee.

ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and, it appearing to me therefrom that defendant P. E. Lamar, has removed from, and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and, it also appearing from said affidavits that a cause of action in assumpsit exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and, it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated, and by said affidavits made to appear:

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It further appearing from a reading of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Wailuku, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.

(Sgd.) A. N. KEPOIKAI,
Judge of the Circuit Court, Second Judicial Circuit.

Attest:
(Sgd.)
EDMUND H. HART,
Clerk, Second Circuit Court.
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